



South Main Redevelopment Right-of-Way Vacation

City Council – November 19, 2024

Applicant Representative:
Property Owner:
City Staff Representative:

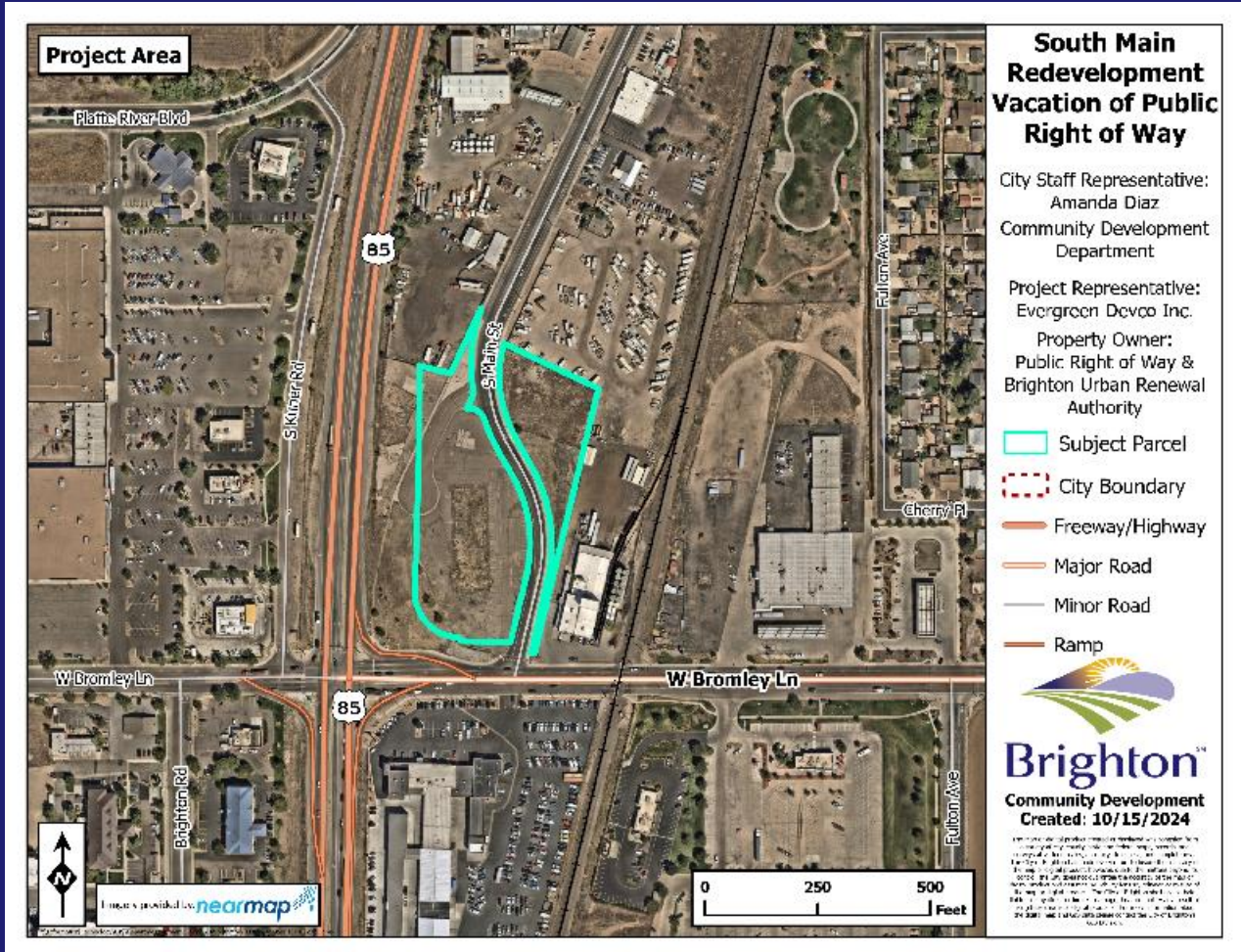
Jeremy Weber of Evergreen Devco Inc.
City of Brighton (Right-of-Way)
Amanda Diaz, Associate Planner



BrightonSM

Subject Property Location

- The property is generally located north of West Bromley Lane, south of West Jessup Street, and within the South Main Street right-of-way.





Background and Purpose

Background

- The 0.012 acre Property was annexed in 1950.
- The subject area is no longer necessary due to the realignment of S. Main Street.

Purpose

- The vacation of public rights-of-way as set forth in Article 43, Title 2, Section 303 of the Colorado Revised Statutes and in *The Land Use & Development Code* allows City Council to vacate rights-of-ways by ordinance.



Land Use & Development Code

In making its decision, the City Council shall use the following criteria (Section 2.13 B.):

B. Review Criteria. The following criteria apply to vacating rights-of-way or easements:

1. There is no public purpose for the right-of-way or easement, considering the Comprehensive Plan, the Transportation Master Plan, or other plans or policies under those plans.
2. The right-of-way or easement is not necessary to meet any of the purposes, intent, design objectives or standards of this code.
3. Vacating the right-of-way or easement will not leave properties without necessary access or provisions of other public utilities and services, or alternatively private easements, to reserve necessary access or provisions of public utilities and services are maintained.
4. There are no adverse impacts on property in the vicinity potentially served by the right-of-way or easement.
5. The vacation meets all other requirements of the Colorado Statutes, the Colorado Constitution, and the Brighton City Charter.



Public Notice and Comment

- On November 4th :
 - ✓ *Notification was published on the City's Website.*
 - ✓ *Mailings were sent to all adjacent property owners receiving a portion of the right-of-way*
 - ✓ *City staff posted information for the agenda item information on Facebook and Next Door.*

Staff Recommendation

- ✓ Staff recommends approval of the South Main Redevelopment right-of-way vacation.
- ✓ The Development Review Committee (DRC) reviewed this project and recommended approval.



Options for City Council

- Approve the Right-of-Way Vacation via Ordinance as drafted;
- Approve a modified Right-of-Way Vacation via Ordinance;
- Deny the Right-of-Way Vacation via Ordinance with specific findings to justify the denial, or;
- Continue the item to be heard at a later, specified date if the City Council feels it needs more information to ensure compliance with the approval criteria as set forth in the *Land Use & Development Code*.