

AGENDA ITEM SUMMARY

City Council



STAFF

Tim Dinger, Civil Engineer II
Will Flowers, Sr. Specialist Real Estate Services

SUBJECT

First Reading of Ordinance No. 004, 2025, Vacating the Riverbend Court Right-of-Way and Approving Easements.

EXECUTIVE SUMMARY

The purpose of this item is to vacate the public right-of-way at Riverbend Court and create drainage, utility, access, and emergency access easements over the property.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The Liberty Common School is currently working on two separate Site Plan Advisory Review (SPAR) processes. The first SPAR proposes an interior remodel of the existing office at 1825 Sharp Point into a charter junior high school building. The second SPAR process will include the construction of a new junior high school building with the footprint as shown on the attached Phase 2 proposed site plan. This proposed building would conflict with the public right-of-way (ROW) of Riverbend Court.

Riverbend Court does not provide any necessary connectivity to other neighborhoods or streets, but it does provide access to the surrounding properties. Liberty Common School (specifically LCS BUILDING CORP) owns all surrounding properties (Parcel numbers 8720214901, 8720206903, 8720105906, 8720105008, 8720105010, 8720105007 and 8720105004). There are existing utilities in the area of Riverbend Court; so, Riverbend Court does require public drainage, utility, access and emergency access easements. The ROW can be vacated for the proposed building to be constructed in the future, and the drainage, utility, access and emergency access needs will be dedicated to the City as easements. The second Liberty Common SPAR later this year will address the drainage and utility design and will also reconfigure the access. Riverbend Court will be a privately-owned and maintained road, and the new school building will replace much of the road. The future construction plans to relocate existing utilities, and at that time the easements can be vacated.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

According to the SPAR process under Colorado Revised Statutes § 22-32-124(1.5)(a), the Planning and Zoning Commission provided comments on November 21, 2024, for the Liberty Common School Expansion Site Plan Advisory Review application (# SPA240002) to the Liberty Common School governing board. At its December 19, 2024, meeting, the Commission further discussed the matter and Liberty Common's agreement to address the Commission's recommendations.

PUBLIC OUTREACH

Adjacent property owners were sent certified mail notifications on October 16, 2024.

ATTACHMENTS

1. Ordinance for Consideration
2. Exhibit A to Ordinance – Liberty Common Phase 2 proposed site plan
3. Exhibit B to Ordinance – right-of-way vacation
4. Exhibit C to Ordinance – access, utility, drainage easement
5. Exhibit D to Ordinance – emergency access easement
6. Vicinity Map