



AGENDA ITEM SUMMARY

City Council

STAFF

Jonathan Piefer, Senior Real Estate Specialist
Sophie Buckingham, Civil Engineer II
Marissa Pomerleau, Development Review Coordinator

SUBJECT

Second Reading of Ordinance No. 036, 2024, Approving the Vacation of a Portion of Two Easements Originally Dedicated in that Certain Replat of Coachlight Plaza PUD.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on February 20, 2024, approves the vacation of a 1,077 square foot portion of two easements (8' Electrical Easement and an 8' Telephone Easement) (the "Easements") that are no longer required by the City because they are currently located beneath a newly constructed building envelope.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

The Easements were originally dedicated to the City in that certain Replat of Coachlight Plaza, recorded on March 1, 1982, with the Larimer County Clerk and Recorder (the "Replat").

On May 31, 2022, Coachlight Apartments LLLP (the "Owner") acquired the property burdened by the Easements, and subsequently applied for a building permit to enlarge and remodel the original structure served by the Easements. On April 24, 2023, construction of the new building (the "New Building") was approved by the Building and Development Review Department, which issued Building Permit #B2109742 (the "Permit"). Construction was completed shortly thereafter and the Permit was closed out on November 2, 2023, thereby ending the development review process.

The Owner recently advised the City that the Easements were actually located underneath the New Building and that their final funding is contingent upon obtaining releases of that portion of the Easements that underly the New Building. The Easements do not contain any public utilities, and the Development Review Coordinator approves of the vacation of the Easements. However, the vacation of the Easements requires City Council approval because the construction project for the New Building is no longer in the development review process.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The City's Building and Development Review Department has approved the vacation of the Easement.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. Exhibit A to Ordinance