



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: May 12, 2022	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		PUBLIC HEARING (Continued) – Application for ROW Vacation, Loveland Slope (171 Shady Lane)

Background

Following action to continue the hearing and a site visit to view the undeveloped ROW, Loveland Slope, this hearing is again open for the public to speak to. Following this memo are all records relating to this item.

The two abutting property owners agree on the vacation. Staff reviewed the request and fully supports the vacation for the following reasons:

- If/when developed, run off onto Shady Lane will worsen the condition of drainage on Shady
- Fire apparatus cannot make the turn onto Loveland Slope from Shady nor make the steep slope to Fowler
- A large portion of the 171 Shady Ln property encroaches on the undeveloped ROW (Loveland Slope) and will cause great hardship to the abutting property (179 Shady)

Consideration to vacate should include a permanent utility easement and drainage easement within the ROW.

There were a number of neighboring property owners speaking against the requested vacation on 4/20. Along with public input, property owner of 179 Shady offered, if/when development of Fowler Branch takes place, to consider dedication of a portion of the Block 9 triangular property to develop an appropriate turn from South Fork onto Fowler Branch.

The Planning Commission reviewed and discussed this request; following is the drafted record from the 4/20 meeting, with a 6-1 vote to recommend approval:

MOTION (Ball, Miner) to approve the application as presented with the condition that a portion of the property corner of 179 Shady Ln would be dedicated in the event of the Fowler Branch roadway is developed to an approved standard. Vote 6-1 (no – Fisher). Motion passed.

Consideration of the Ordinance to vacate the undeveloped ROW will come under business items.