

Meeting Date: April 21, 2025

Engineer: Tyler Curtis

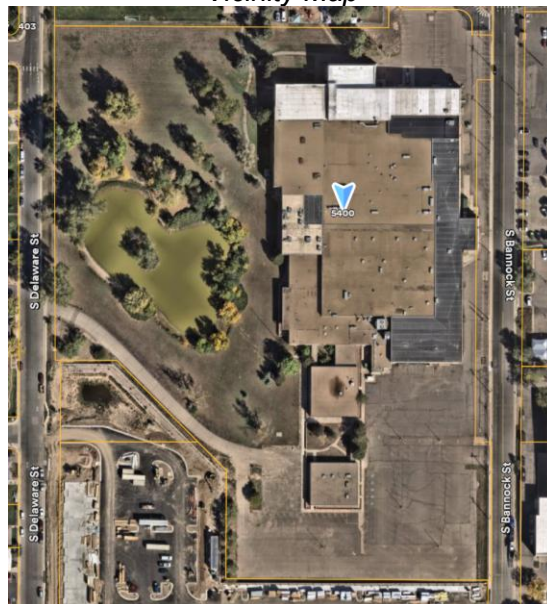
APPLICATION SUMMARY:

Project Name: Vacation of a Portion of S. Bannock Avenue
Case Numbers: **VP25-0001**
Application type: Right-of-Way Vacation Request
Location: S. Bannock Street Right-of-Way along the frontage of 5400 S. Delaware Street
Size of Property: Vacation of 19' of Right-of-Way of S. Bannock Avenue
Zoning:
Applicant: Kimley-Horn & Associations, Inc.
Applicant's Representative: Eric McDaniel, PE
Owner(s): Thompson Thrift Development, Inc.
Applicant Request: Vacation of 19' Right-of-Way portion of S. Bannock Avenue

LOCATION:

The proposed development is located adjacent to 5400 S. Delaware St. in Littleton, Colorado.

Vicinity Map



PUBLIC NOTICE REQUIREMENTS AND PROCESS:

Pursuant to Section 10-9-3.5 of the Unified Land Use Code (the “ULUC”), notice of public hearings shall be given in accordance with Table 10-9-3.9.1. Section 10-9-3.5 of the ULUC requires that any notice provided by mail, shall be provided through the United States Postal Service to all addresses, units, and property owners located within 700 feet of the property at least ten (10) days in advance of the public hearing. Pursuant to Section 10-9-4.1 of the ULUC, for any comprehensive rezoning, zoning map amendment, or text amendment within the SLR, MLR, LLR, or ACR zoning districts, mailed notification shall be sent at least fourteen (14) days in advance of the public hearing. If there are any homeowner’s or other owner associations within 700 feet of the property, then notification need only be sent to the association’s designee.

In total, staff sent 956 notification cards to property owners and residents within the notification boundary and within the prescribed time period.

Neighborhood meetings were held on the following dates: December 5, 2025. As the applicant is providing affordable residential units, per the Inclusionary Housing Ordinance, only one neighborhood meeting was required.

BACKGROUND; APPLICATION DETAILS:

The subdivision adjacent to the proposed right-of-way vacation was initially platted in 1911 (Interurban Addition) with Replats and Vacations in 1915 (Weber’s Resubdivision), 1917, 1919 (Vacation of Part of Interurban Addition), 1957 (Resolution), and 1958 (Royal Gardens Addition). A brief history is provided below:

Interurban Addition – 1911

Created the Plots and ROW for the general area.

Weber’s Resubdivision – 1915

Realigned W. Rafferty Gardens Ave. (Formally First Ave.)

Vacation of Part of Interurban Addition – 1917, 1919

Vacated the eastern 25’ of S. Bannock St. (formally Doan) from W. Powers Ave. (formally Third Ave.) to W. Rafferty Gardens Ave. (formally First Ave.)

Vacated Second Ave from S. Bannock St. to S. Broadway Ave

Resolution – 1957

Vacated Second Ave. between S. Delaware (formally Prescott Ave.) and S. Bannock St. (formally Doan)

Vacated all roads and alleys between W. Powers Ave. (formally Third Ave.) to W. Rafferty Gardens Ave. (formally First Ave.) and S. Delaware (formally Prescott Ave.) and S. Bannock St. (formally Doan)

Royal Gardens Addition – 1958

Rededicated eastern 25’ of S. Bannock along frontage

In 1962, a 25-foot right-of-way was dedicated via Warranty Deed (Book 1385, Page 525); however, this dedication encroaches 19 feet further into the adjacent property than the standards set by the [Littleton Transportation Master Plan \(TMP\)](#) and the Powers Place Subdivision. Further, certain previous vacations are not reflected in the 2017 ALTA/ACSM Survey or the 2017 Richardson Subdivision Exemption. In 2024, the City approved the Powers Place Subdivision, which dedicated right-of-way along S. Bannock St., W. Powers Ave., and S. Delaware St (Rec. No. E4066669). The existing S. Bannock Street rights-of-way was predominantly 50' in width from W. Rafferty Gardens Avenue to W. Powers Avenue, and an additional six feet (6') rights-of-way was dedicated to the City through the Powers Place Subdivision.

It is the City's position that a uniform 25-foot right-of-way dedication was intended for the length of S. Bannock Street to W. Powers Avenue. Due to historical data gaps and survey discrepancies, this right-of-way is currently inconsistent.

This request seeks to vacate specific rights-of-way along the western frontage of S. Bannock Street to align with the Powers Place Subdivision and establish a consistent 56-foot section throughout the corridor.

The applicant has worked closely with all outside agencies on any outstanding comments and has addressed all of the comments or the agencies have conditionally approved the application.

Decision Criteria and Analysis:

Pursuant to Section 10-9-7.6(B), *Vacation of Streets and Easements*, of the ULUC, vacation of streets, the purpose being public vehicular travel or access, shall require approval by City Council. The Council may approve, approve with conditions, or deny the application for the vacation of a street based on the following Decision Criteria as outlined in Section 10-9-7.6(C) of the ULUC.

1. *Utility Notification*: The applicant has provided evidence of notification of all public and private utilities that may have interest in the area to be vacated.

Staff Analysis: There are no known public or private utilities within the 19' portion of the right-of-way vacation request. All overhead and underground utilities adjacent to property appear to be located within the 50' right-of-way width. This criterion has been met.

2. *Owner Signatures*: Where required by the Director, the applicant has obtained the notarized signatures of property owners abutting affected portions of the street or easement(s) proposed for vacation, indicating support or objection for the application, if the Director believes that access to any such property may be compromised by the vacation request;

Staff Analysis: The owner of 5400 S. Delaware is the only property owner adjacent to the impacted portions of the right-of-way street vacation request and are in support of the application. This criterion has been met.

3. *No Public Purpose and in Public Interest*: The public street no longer serves a public purpose and the vacation of the public street is in the public interest, which shall be based on a consideration of the following:

- a. Whether the public benefits from the use of the subject public street as part of the city street system;
- b. Whether the proposed action is consistent with the Comprehensive Plan;
- c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards of this Code;
- d. Whether the proposed action would deny access to private property;
- e. The effect of the proposed action upon public safety;
- f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
- g. The effect of the proposed action upon the provision of services including, but not limited to, emergency service and waste removal;
- h. The necessity to relocate public and private utilities; and
- i. The effect of the proposed action on the design and character of the area; and

Staff Analysis: The existing built condition operates as if the 50' right-of-way width is maintained along the Site frontage, and the extra 25' width currently operates as private property. Therefore, no negative impacts to the public use, utility access, or traffic operations would be created by the right-of-way vacation approval. The subject parcel would still conform to zoning standards per the City Code. Additionally, the Littleton Transportation Master Plan identifies this section of S. Bannock Street as a Mixed Use / Downtown Connector Street type with an ultimate 62' right-of-way width, which further supports the vacation request of this additional 19' right-of-way section on the west side of S. Bannock Street. This criterion has been met.

4. **Streets:** The Council shall not vacate a public street except if the following additional criteria are met:
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
 - c. The loss of the street is necessary for the construction of a high-density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

Staff Analysis: Vacating the additional 19-foot ROW on the west side of S. Bannock Street will have no adverse effects on traffic, utilities, or public access, as the area already functions as private land within a 50-foot operational width. The vacation will allow for future high-density residential development of the Site adjacent to the commercial uses to the east. Further, the future development would dedicate a 6' right-of-way section along the Site frontage to support the ultimate 62' public right-of-way width per the Littleton Transportation Master Plan. The rights-of-way vacation along this portion of S. Bannock Avenue will create a consistent rights-of-way width along much of the street section between W. Powers Avenue and W. Rafferty Gardens Avenue. The proposed street section aligns with the Transportation Master Plan and future development will provide the ultimate improvements along the frontage. In conjunction with the rights-of-way vacation the fronting property will also dedicate a six-foot (6') rights-of-way area along portions of the property to match the

ultimate rights-of-way cross-section for S. Bannock Avenue.

STAFF RECOMMENDATION:

Staff recommends the following: Move to approve the ordinance vacating a portion of S. Bannock Avenue as depicted within Exhibit A to the Ordinance 06-2026.