

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS  
PLANNING DEPARTMENT STAFF REPORT**

Board Hearing Date: September 24, 2020

To: Board of County Commissioners

Date: September 16, 2020

Prepared by: John Deagan, AICP; Planner

Subject: South Park Ambulance District Right-of-Way Vacation

Request: The vacation of the southernmost 100 feet of the Midlands Avenue right-of-way in the Hartsel townsite.

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**Application Summary:**

Applicant:	Paul Mattson, South Park Ambulance District (SPAD)
Owner:	Park County
Location:	A vicinity map is attached as Attachment 1.
Zone District:	Commercial
Surrounding Zoning:	Residential to northwest, Commercial in all other directions
Lot Size:	Roughly 0.14 acres to be vacated
Existing Use:	None
Proposed Use:	Incorporation into New Lot 7, which will contain SPAD's Hartsel ambulance station and into CDOT property to the east
Public Comment:	None received at this time

**Background:**

Midland Avenue was platted in 1909 as part of the Hartsel Springs townsite. The portion intersecting Highway 24 was never built and is the subject of this vacation application. The application is necessary so that SPAD's ambulance facility can directly access Highway 24. If the Midland Avenue right-of-way existed when the ambulance facility was completed, access would have to be through Midland Avenue to the Highway. This would cause SPAD unnecessary expense and less efficient access for outgoing and incoming ambulances.

As the adjacent landowner to the east, the Colorado Department of Transportation (CDOT) had stated that they would prefer that SPAD take ownership of the entire vacated right-of-way. However, this would require that CDOT take ownership of the lot and then transfer it to SPAD, which would be a complicated and lengthy process. The

applicant's goal is to have the facility working as soon as possible, so they are revising the plat to show a conventional vesting of the vacated right-of-way in both adjacent lots.

### **Land Use Regulations and Strategic Master Plan:**

Each of the standards for approval of a Right-of-Way Vacation (LUR Section 6-1003, page 50 of Article VI) is addressed below.

**A. The vacation of the right-of-way is not contrary to the public interest.**

Since the right-of-way has never had a road built within it, its vacation will not affect the travelling public.

**B. The proposed right-of-way vacation would not create or result in any adverse impact to neighboring properties or the public health, safety, or welfare.**

This right-of way vacation will not create any adverse impacts to neighboring properties or the public health, safety, or welfare.

**C. The proposed right-of-way vacation does not leave any land without access to another public road.**

All lots adjacent to the proposed vacation already have access to Midland Avenue or Highway 24.

**D. The proposed right-of-way vacation substantially conforms to the goals and policies of the Strategic Master Plan to the extent that such advisory provisions do not conflict with provisions or requirements of the Land Use Regulations and to the extent that such goals and policies set forth requirements which are sufficiently specific to permit the Planning Commission or the BOCC to decide that the dedication meets or fails to meet such goal or policy.**

Staff does not find the Right-of-Way Vacation to be contrary to any of the Guiding Principles of the Strategic Master Plan.

### **Impact Analysis:**

No impact is anticipated to traffic, roadways, schools, parks, storm drainage facilities, or utilities.

### **Planning Commission:**

The Planning Commission reviewed this application at their September 8, 2020 meeting and unanimously recommended approval of the application with the following condition:

1. Subsequent to approval of the application by the Board of County Commissioners and prior to recordation of the associated plat, the Colorado Department of Transportation executes and records a conveyance deed

transferring any interest in the east half of the vacated portion of Midland Avenue to the South Park Ambulance District.

This condition is no longer necessary, and staff's recommendation is to approve the application with no conditions.

**Recommendation:**

Staff recommends that the application be approved with no conditions. The BOCC's options are to authorize staff to prepare a resolution to:

- Approve the application with no conditions;
- Approve the application with newly identified conditions; or
- Deny the application.

Alternatively, the hearing can be continued so that the applicant or staff can provide additional information.

Attachment 1

Valley Ave

Elm St

Midland Ave

HWY 24

CR 59

HWY 9

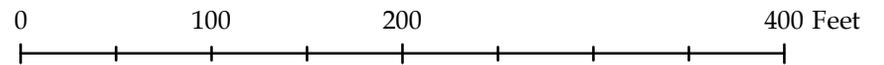
Legend

- Proposed Vacation
- New Lot 7
- Tax Parcels

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Proposed Vacation, Midland Ave.



Park County Planning Department

This map is not a survey.