



Agenda Item: Orig. Ordinance - 3rd Reading

Title: Original Ordinance No. 2055, Vacating Approximately a 4.31 acre Pedestrian Easement within Timberline Business Park, Lots 1 through 7.

Recommended Council MOTION:

Move to **approve** Original Ordinance No. 2055 on third reading, vacating approximately a 4.31 acre pedestrian easement within Timberline Business Park, lots 1 through 7 as recommended by the Planning Commission; based on findings of fact and conclusions of law and authorize the mayor and clerk to sign the ordinance.

Recommended Council AMENDMENT:

Move to amend the preamble’s 4th and 5th whereas as follows;

WHEREAS, notice of a public hearing in compliance with Wyo. Stat. §15-1-602(b) ~~to be shall be~~ published in the *Laramie Boomerang* on February 21st, 2023 which notice ~~is was given~~ at least fifteen (15) days prior to the public hearing; and

WHEREAS, the Laramie City Council ~~held shall hold~~ a public hearing on March 7, 2023 to take and consider public comments.

Administrative or Policy Goal:

Vacation of the unused pedestrian easement would facilitate lot development in this area, which is consistent with the City’s Comprehensive Plan and removes an unused right from the City’s maintenance responsibility.

Background:

The request for vacation is for a pedestrian easement that is within the Timberline Business Park, Lots 1 through 7. The vacation request is for a pedestrian easement within the westernmost lots within the subdivision. Platted in 2017, the pedestrian easement is currently undeveloped, and vacation does not affect the growth feasibility for this site or for surrounding property owners. The total area requested for vacation is approximately 4.31 acres.

The vacation request, if granted, would aid in the desired future development of Timberline Business Park and allow for lot consolidation to accommodate larger tenants.

The Planning Commission heard this item on January 9, 2023 and recommended that the City Council approve (5 yes, 0 no, 1 absent, 1 vacancy) the vacation. The January 9, 2023 Planning Commission staff report is attached and is unchanged.

The amendments to the preamble of the ordinance reflect changes which occur throughout the reading process to ensure ordinance clarity. Approval of these changes must go through City Council before ratification of the ordinance can occur. This final reading of the ordinance provides City Council with the opportunity to make further changes if needed, and subsequently approve the ordinance once the document has been deemed satisfactory.

Legal/Statutory Authority:

- Laramie Municipal Code. Chapter 15 Unified Development Code
- Wyoming State Statutes 15-4-305.
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning

BUDGET FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service	\$765.00	Application Fee
Grant		
Loan		
Other		
Total	\$765.00	

Responsible Staff:

Future dates are subject to change

Joseph Shahidi, Associate Planner
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307-721-5245

Public Hearing Advertised	12/23/2022
Planning Commission/Public Hearing	1/9/2023
Introduction/1 st Reading	2/21/2023
Public Hearing Advertised	2/21/2023
Public Hearing (PH) Held	3/7/2023
2 nd Reading	3/7/2023
3 rd Reading/Final Action	3/21/2023

Attachments:

Vacation Ordinance No. 2055
Planning Commission Staff Report dated January 9, 2023