

**DOUGLAS CITY COUNCIL  
STAFF REPORT  
OCTOBER 24, 2022**

**WEST CLAY STREET AND FIRST STREET WEST PORTIONS OF RIGHT-OF-WAY  
PETITION TO VACATE**

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**CASE NUMBER:** VAC 01-22

**PREPARED BY:** Heidi McCullough, Planning Technician

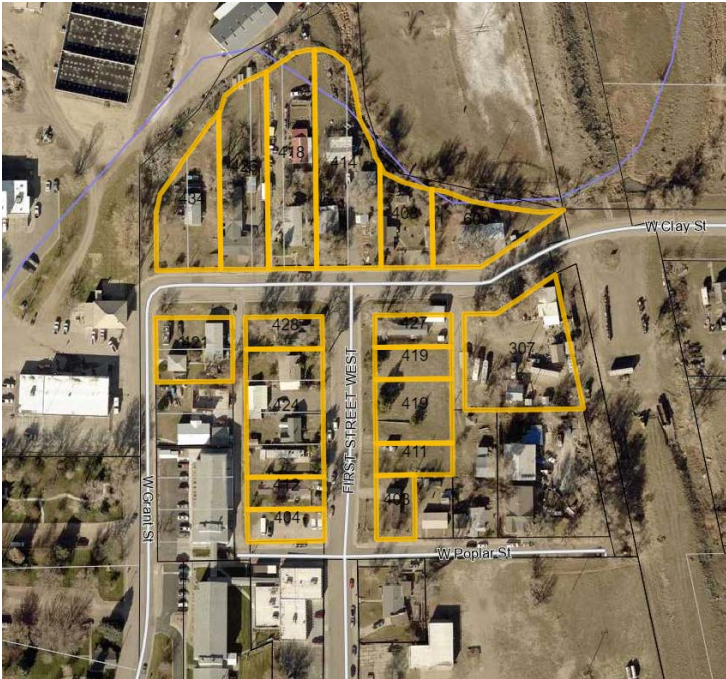
**MEETING DATES:** October 17, 2022 – Planning and Zoning Commission  
October 24, 2022 – City Council

**REQUEST:** To vacate the south twenty (20) feet of the West Clay Street right-of-way from West Grant Street to the northeast corner of Riverview, Lots 11 and 12, Block 3, and vacate the east fifteen (15) feet of the First Street West right-of-way from West Clay Street to West Poplar Street.

**PURPOSE:** To enable and support development of the affected properties.

**RECOMMENDATION:** The Community Development Department recommends approval of the vacation of the south twenty (20) feet of the West Clay Street right-of-way from West Grant Street to the northeast corner of Riverview, Lots 11 and 12, Block 3, and vacate the east fifteen (15) feet of the First Street West right-of-way from West Clay Street to West Poplar Street.

**VICINITY MAP:**



**PETITIONER:** City of Douglas  
P.O. Box 1030  
Douglas, WY 82633

**LOCATION:** The south twenty (20) feet of the West Clay Street right-of-way from West Grant Street to the northeast corner of Riverview, Lots 11 and 12, Block 3, and the east fifteen (15) feet of the First Street West right-of-way from West Clay Street to West Poplar Street.

(See Attachment A)



**ZONING DATA:** The surrounding property is currently zoned R-2 Medium Residential Zoning District. This district “is intended to provide for the development of single-family and duplex or townhouse dwellings.”

**EXISTING LAND USE:** Residential

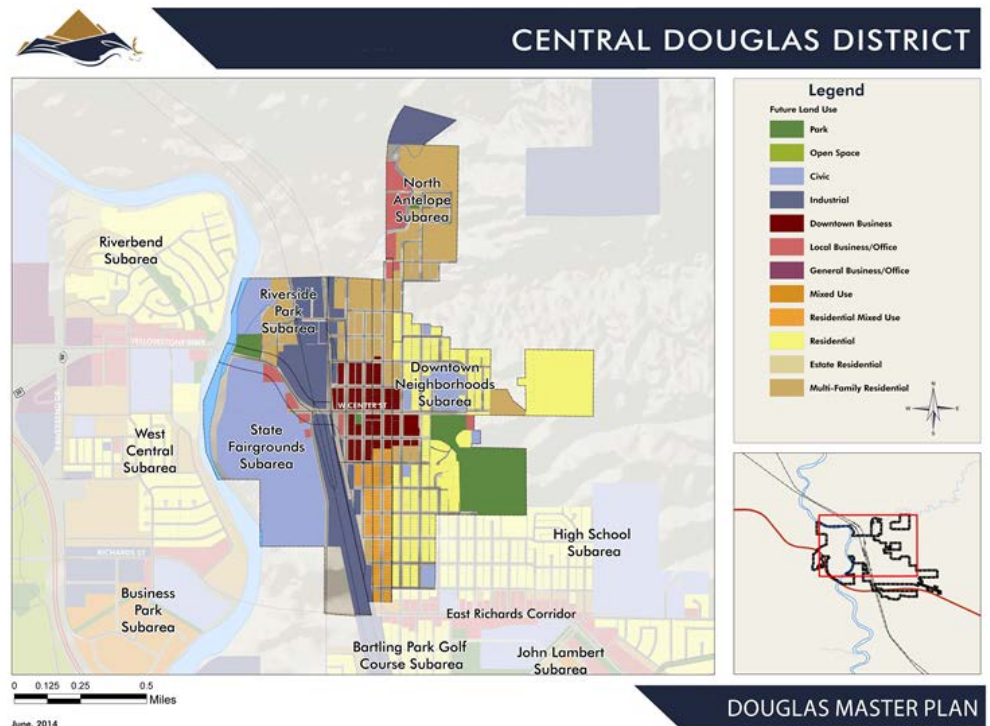
**PROPOSED USE:** Residential

SURROUNDING LAND USE:	ZONING	ANNEXATION STATUS
<b>North:</b> Single Family Homes	R2	City
<b>South:</b> Senior Center/Residential/Ind	R4/R2/I	City
<b>East:</b> Vacant Land	I	City
<b>West:</b> Public Works	R2	City

**DESCRIPTION OF SITE AND SURROUNDINGS:** The surrounding land uses are noted above. The subject property is surrounded by a mix of vacant land and residential and industrial uses.

**MASTER PLAN:**

These properties are designated as part of the Riverside Park subarea of the Central Douglas District. *“This area is expected to continue to grow into a highly amenitized area. The park and river trail and its associated amenities will continue to be improved. Higher quality multifamily developments should be encouraged. Industrial areas should be carefully integrated with residential areas.”*



The desired future character for this subarea is one that reinforces the heart of the community by building on what is already present; areas adjacent to Downtown should also be reinforced to ensure they remain current and relevant.

The request conforms to the Douglas Master Plan as continued development to the existing residential and commercial uses of the area are encouraged.

**HISTORY & CONTEXT:** This area was included in the Riverview Addition to Douglas in 1924. There were Vacations of parts of West Poplar Street in 1996, and again in 2020. There have been no other significant changes to this area since that time.

At the time these roads were developed, they were made wide enough to turn a wagon with a team around, making the original road 80 feet wide. As the roads were further developed and paved, the actual right-of-way that was utilized as street and sidewalk was closer to the current standard 60-foot right-of-way. This resulted in a 15-to-20-foot area of land between the street

and the property line causing a large area of undevelopable space. Vacating the unused portion of the right-of-way and returning that portion of land to the property owners supports the development of the area.

**FINDINGS OF FACT:**

- The City of Douglas owns the land in the right-of-way along West Clay Street and First Street West.
- Community Development staff has confirmed that the petition received is a qualifying petition and contains the required signatures.

**CONCLUSION OF LAW:**

- The City Council has the exclusive power to vacate city streets (16.3.13 of the Douglas Municipal Code).
- The required Notice of Public Hearing was published in the Douglas Budget on September 28, 2022, a minimum of 15 days prior to the public hearing.
- Property owner notifications within three hundred (300) feet of the subject property were mailed on September 28, 2022. No objections have been received to date.

**STAFF RECOMMENDATION:** The Community Development Department recommends approval of the vacation of the south twenty (20) feet of the West Clay Street right-of-way from West Grant Street to the northeast corner of Riverview, Lots 11 and 12, Block 3, and vacate the east fifteen (15) feet of the First Street West right-of-way from West Clay Street to West Poplar Street.

Upon approval of the request, the vacated property shall be quitclaimed the adjacent property owners.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** The Planning and Zoning Commission, at their regular meeting on October 17, 2022 recommended approval of the vacation of the south twenty (20) feet of the West Clay Street right-of-way from West Grant Street to the northeast corner of Riverview, Lots 11 and 12, Block 3, and vacate the east fifteen (15) feet of the First Street West right-of-way from West Clay Street to West Poplar Street.

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