

ALLEY VACATION WITHIN WILEY & CHAMBERLIN'S SUBDIVISION

A VACATION OF A PORTION OF THE PLATTED 16 FOOT ALLEY RIGHT OF WAY
 LOCATED IN BLOCK 362, WILEY & CHAMBERLIN'S SUBDIVISION
 IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 64 WEST
 OF THE 6th PRINCIPAL MERIDIAN
 CITY OF PUEBLO, COUNTY OF PUEBLO, STATE OF COLORADO



SCALE: 1"=40'



 Proposed Vacation



Vicinity Map
 Not to Scale



LEGAL DESCRIPTION

All that portion of ALLEY located in Block 362, Wiley and Chamberlin's Subdivision, lying westerly of Portland Avenue and being more particularly described as follows:

Beginning at the Northwest corner of Lot 21, said Block 362, said point also being the point of intersection of the Easterly Right of Way line of Champs (Ogden) Avenue with the south line of said ALLEY;
 THENCE East along the South line of said ALLEY to a point on the North line of Lot 23, said point being 16.61 feet West of the Northeast corner of said Lot 23, said point being the same as the POINT OF BEGINNING as called for in deed recorded May 30, 1973 at Reception No. 450030 of the Pueblo County Records;

THENCE Northeasterly to a point on the North line of the ALLEY, said point being 118.66 feet west of the Southeast corner of Lot 8, said Block 362, said point also being the Southwest corner of that triangular parcel of land as recorded February 14, 1973 at Reception No. 442938 of the Pueblo County records;
 THENCE West along the North line of said ALLEY to the Southwest corner of Lot 1, said Block 362, said corner being the intersection of the easterly right of way line of Champs (Ogden) Avenue with the North line of said ALLEY;
 THENCE South along the east right of way line of said Champs Ave. to the POINT OF BEGINNING, County of Pueblo, State of Colorado.

The above described parcel of land contains 1,111 ft² more or less.

RESERVATIONS:

PURPOSE: Petitioner owns property adjoining each side of the alley and wishes to more adequately utilize all of his property.

SURVEYORS CERTIFICATE

I, Julie N. Troutt, a professional land surveyor registered in the State of Colorado, hereby certify, that this Road/Street Vacation Plat is not based upon an actual field survey conducted by me or under my responsible charge, but was prepared using information shown on the plat of Wiley and Chamberlin's Subdivision, as recorded June 1, 1887 in Book 2 at Page 41 of the records of the Pueblo County Clerk and Recorder.

Julie N. Troutt
 Professional Land Surveyor No. 38529

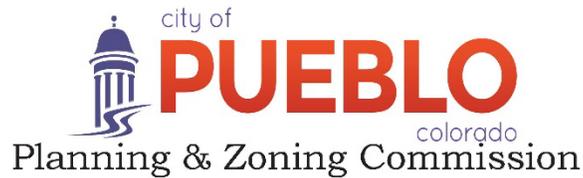
Date _____

Southern Colorado Land Surveying, Inc.
 184 S. Tiffany Dr., Ste. 106
 Pueblo West, CO 81007
 719-542-9169

Mike Castellucci
Chair

Patrick Avalos
Vice Chair

Sarah Martinez
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

MINUTES OF REGULAR MEETING

City of Pueblo, Colorado

Wednesday, May 11, 2022 – 3:30 p.m.

City Council Chambers, 1 City Hall Place

Join Zoom Meeting online:

<https://pueblo.zoom.us/j/92717867722?pwd=WUdnaHVGBnlCdHRrUHNFZnpPWG1Ydz09>

Join Zoom Meeting by phone:

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

Online and phone Meeting ID and Password:

Meeting ID: 927 1786 7722

Passcode: 195462

MEETING CALLED TO ORDER

The meeting was called to order at 3:35 p.m. with Commissioner Castellucci presiding.

The meeting was held at City Council Chambers, 1 City Hall Place, commissioners, applicants, and the public participated in person and via Zoom.

Commissioners Present: Mike Castellucci, Patrick Avalos, Cheryl Spinuzzi, Alexandra Aznar, Christopher Pasternak, Sarah Martinez, and Lisa Bailey.

Commissioners Absent: none

Staff Members Present: Dan Kogovsek, City Attorney; Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Wade Broadhead, Senior Planner; Danielle Baxter, Planner; and Joe Martellaro, Associate Engineer II.

PUBLIC MEETING AGENDA AND ACTION

Regular Agenda

- V-22-02: Vacation:** Vacate a 16' by 105' long portion of an unimproved public alley in the Wiley and Chamberlin Subdivision, Block 362.

Staff Report by Wade Broadhead

BACKGROUND:

The applicant is proposing to vacate the remaining alley (1,111 sq ft) in Block 362 of the Wiley and Chamberlin Subdivision. After the vacation of the alley the applicant will rearrange the vacated alley area with existing lots to form a new building parcel. The proposed alley right of way runs from west to east and dead ends into the right-of-way for Portland Avenue and provides no access to any properties other than the applicants. This vacation will create a more buildable parcel and eliminate residual slivers of land.

The purpose of this vacation request is to create a new single lot for the commercial development of a business site. The applicant has already submitted the lot line rearrangement application pending this action and has been working with staff on the development of this property. Staff did not receive any comments or objections to the applications from any city department or utilities.

Applicable Regulations:

Sec. 12-5-1 through 6 of the Pueblo Municipal Code (PMC) concerning vacations of streets, alleys, etc.

Recommended Action:

The Subdivision Review Committee recommends that the Easement Vacation be recommended for **APPROVAL**.

QUESTIONS OF STAFF:

Cheryl Spinuzzi – Once the alley is vacated does the City deed title? Md. Broadhead responded that the applicant has submitted a lot line rearrangement that will vacate the easement and adjust the existing property boundaries of their ownership.

Sara Martinez – Is this property within the newly established urban renewal district on the east side? Mr. Hobson responded that this property is south of 4th Street along Portland Street and is not within the new urban renewal area.

HEARING: Nathaniel Evans, 904 S. Ogden, applicant, was sworn in and testified on behalf of the application. Ms. Martinez asked what type of commercial will be developed. Mr. Evans responded that the property will be used for a retail marijuana cultivation facility.

No one else spoke in support or opposition for the application.

MOTION: Motion to recommend approval of V-22-02 to City Council was made by Bailey, second by Martinez.

MOTION PASSED 7-0



DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Beritt Odom, Principal Planner

CC: Michelle Cruz, Administrative Technician
Subdivision File

FROM: Joe Martellaro, Associate Engineer II

SUBJECT: V-22-02 Ogden Vacation

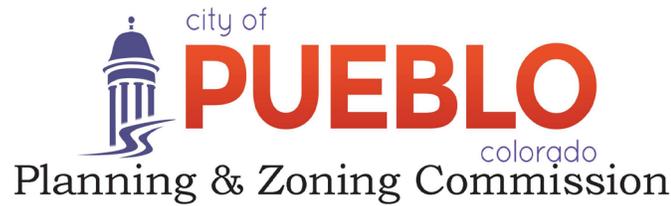
DATE: June 24, 2022

Please place the above referenced submittals on the City Council Agenda.

Mike Castellucci
Chair

Patrick Avalos
Vice Chair

Sarah Martinez
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

V-22-02

TO: City of Pueblo, Planning and Zoning Commission

FROM: Wade Broadhead, Sr. Planner

THROUGH: Scott Hobson, Acting Planning and Community Development Director

DATE: May 11, 2022

SUBJECT: Vacate 16' by 105' portion of platted alley in Block 362 Wiley and Chamberlain Subdivision

APPLICANT: Nathaniel Evans/Moon Budz

OWNER: Same

LOCATION: Generally located southeast of the intersection of Grenadillo Ave and S. Ogden Street.

CONCURRENT REQUESTS: None

Request:

Vacate a 16' by 105' long portion of an unimproved public alley in the Wiley and Chamberlin Subdivision, Block 362.

•

Staff review and findings:

The applicant is proposing to vacate the remaining alley (1,111 sq ft) in Block 362 of the Wiley and Chamberlin Subdivision. After the vacation of the alley the applicant will rearrange the vacated alley area with existing lots to form a new building parcel. The proposed alley right of way runs from west to east and dead ends into the right-of-way for Portland Avenue and provides no access to any properties other than the applicants. This vacation will create a more buildable parcel and eliminate residual slivers of land.

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Applicable Regulations:

Sec. 12-5-1 through 6 of the Pueblo Municipal Code (PMC) concerning vacations of streets, alleys, etc.

Recommended Action:

The Subdivision Review Committee recommends that the Easement Vacation be recommended for APPROVAL:

PUBLIC WORKS AND ENGINEERING COMMENTS

- None

WASTEWATER

- None

STORMWATER

- None

PLANNING AND COMMUNITY DEVELOPMENT COMMENTS

- None

TRANSPORTATION COMMENTS

- None

PARKS AND RECREATION COMMENTS

- None

REGIONAL BUILDING COMMENTS

- None

BOARD OF WATER WORKS COMMENTS

- None

COLORADO DEPARTMENT OF TRANSPORTATION COMMENTS

- None

COMCAST COMMENTS

- None

EXCEL ENERGY COMMENTS

- None

QWEST COMMENTS

- None

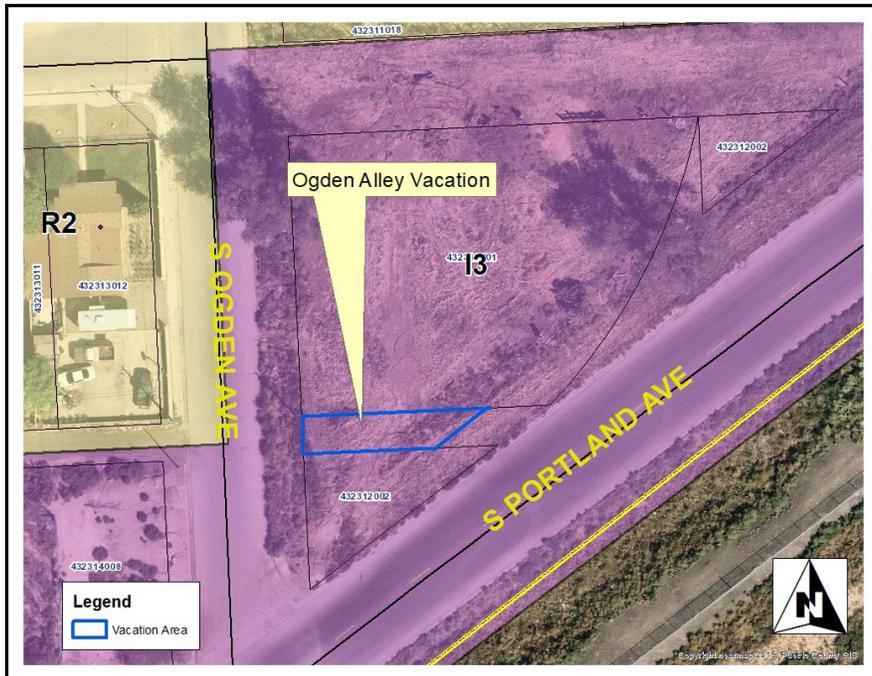
ATTACHMENTS:

- A. Aerial Map
- B. Zoning Map
- C. Site Photographs
- D. Vacation Plat
- E. Vacation Application

ATTACHMENTS:



A. Aerial Photograph



B. Zoning Map

Attachment C. Site Photos

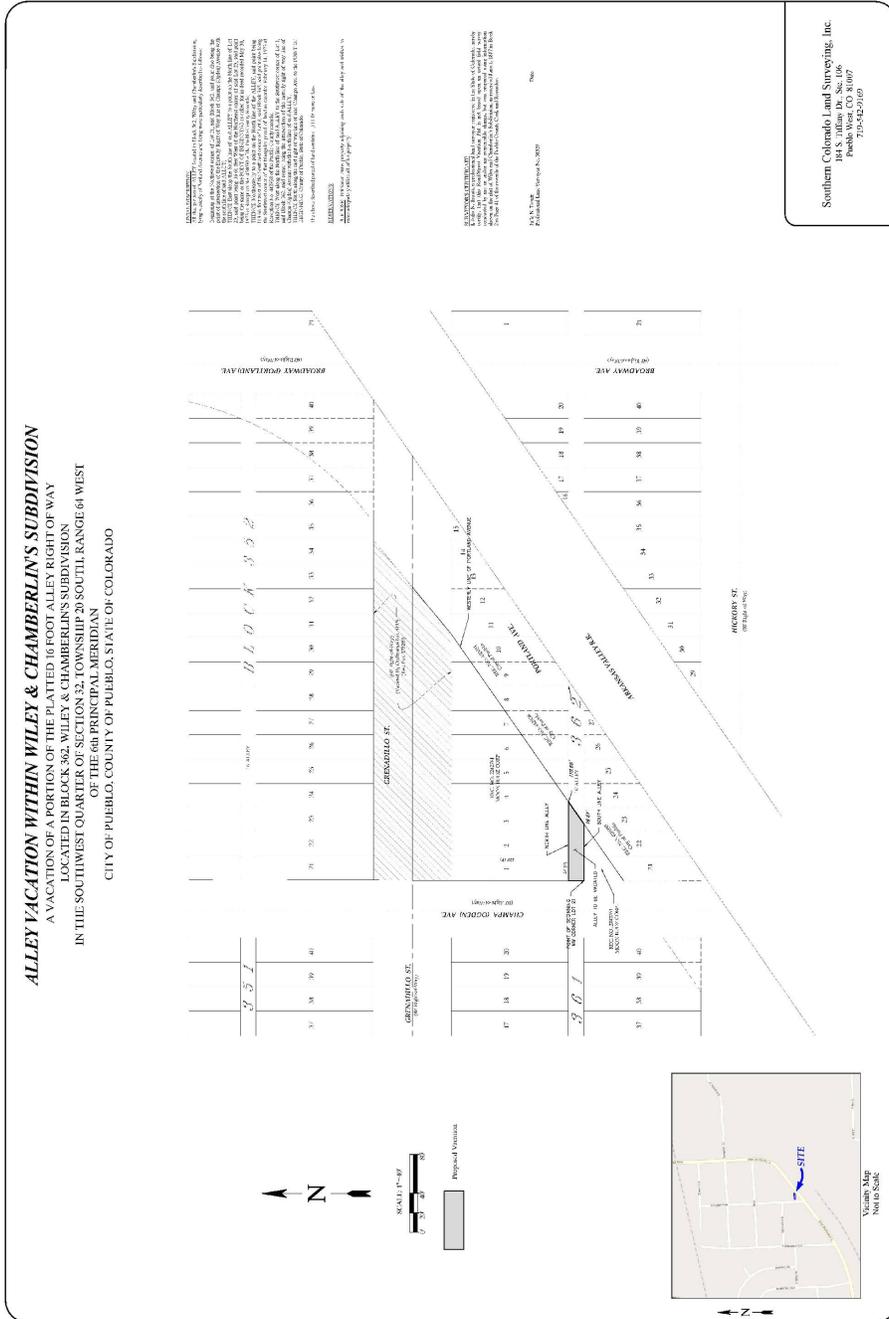


Area of vacation with lines showing its approximate location on the photo



Public Notice Poster

Attachment D: Vacation Plat



Attachment E: Vacation Application



Planning & Community Development

211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

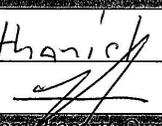
Planning & Zoning Application

Please type or print clearly. Illegible applications will not be accepted. Case #: _____

Property Owner		Applicant	
Name: Nathaniel Evans.		Name: Nathaniel Evans	
Company: Moon Budz		Company: Moon Budz	
Address: 2822 Farabaugh Ln Zip: 81005		Address: 2822 Farabaugh Ln Zip: 81005	
Phone: (719) 696-4747		Phone: (719) 696-4747	
Email: nathaniel@moonbudzcorporation.com		Email: nathaniel@moonbudzcorporation.com	
Engineer		Surveyor	
Name: Tony Mihelich		Name: Julie Troutt	
Company: DK Horn Engineering		Company: Southern Colorado Land Surveying	
Address: _____ Zip: _____		Address: _____ Zip: _____	
Phone: (719) 696-8274		Phone: (719) 542-9169	
Email: tony@dkheng.com		Email: socolandsurvey@gmail.com	
<i>The applicant will be the primary contact unless otherwise noted.</i>			
Project Location: 904 S. Ogden Ave, Pueblo, CO. 81001 <small>(address or general description)</small>			
Parcel No(s): 432312001, 432312002			
Existing Zone: I3		Proposed Zone (if applicable):	
PUD Name (if applicable):			
Project Name: 904 S. Ogden Avenue			
Total Score	<input type="checkbox"/> Rearrangement of Property Boundaries: # of existing lots: _____ Total acres: _____		
	<input type="checkbox"/> Overall Development Plan		
	<input type="checkbox"/> Site Plan Review: Building area: _____ sf ○ HARP ○ Development Plan ○ PUD ○ Student Housing		
	<input type="checkbox"/> Special Area Plan		
	<input type="checkbox"/> Street Name Change: Existing Name: _____ Proposed Name: _____		
	<input type="checkbox"/> Subdivision: # of lots: _____ Total acres: _____		
	<input type="checkbox"/> Text Amendment		
	<input checked="" type="checkbox"/> Vacation: ○ Street ● Alley ○ Easement ○ Other: _____		
	<input type="checkbox"/> Other: _____		

(Continue Next Page)

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Office Use Only	Provide a brief description of the proposed request: During rearrangement of boundaries, it was determined the second proposed lot was too small. It is now proposed to vacate the southern alley to produce one single lot.	
	What is the total acreage included in the project? 0.15	
	What is the proposed use of the property? <input type="checkbox"/> Commercial <input type="checkbox"/> Multi-family <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Other	
	Are there any other pending or recently approved Land Use applications regarding this property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	If yes, please list: Rearrangement of boundaries.	
Attachment Checklist		
The following list of attachments are required to accompany all applications: <input checked="" type="checkbox"/> A. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input checked="" type="checkbox"/> B. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us) <input checked="" type="checkbox"/> C. Additional information as required by the P&Z Submittal Requirements Sheet .		
By Signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:		
<ol style="list-style-type: none"> 1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application, including Certificate of Occupancy Inspections. 2. There are no known hazards or vicious animals present on the subject property. 3. All information contained in this application, is true and accurate to the best of my knowledge. 4. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application. 5. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense. 		
Property Owner		
Print Name:	Nathanick Evans	
Signature:		Date: 3/9/22
Applicant (Refers to Property Owner)		
Print Name:		
Signature:		Date:

Office Use Only	Zoning Compliance (Completed by City Staff)		
	Application checked for completeness by:	Date:	Fee Paid:

April 22, 2022

This is to inform you that the City Planning and Zoning Commission will hold a public hearing on a request by **Nathaniel Evans** for the approval of the following application(s):

V-22-02 Alley Vacation Within Wiley and Chamberlin Subdivision (located southeast of Grenadillo St. and Ogden Ave intersection) application to vacate a 16' portion of platted alley in Block 362 of the Wiley and Chamberlin's Subdivision.

The Planning and Zoning Commission meeting will be held on May 11, 2022, at 3:30 p.m., by Zoom: Meeting ID:927 1786 7722, Passcode: 195462, Telephone: 1 346 248 7799 US (Houston) or in-person at 1 City Hall Pl (3rd Floor City Council Chambers). You are welcome to attend this public hearing and express your viewpoint concerning this proposal. To review the plans and staff report for the proposed application, please visit www.pueblo.us/PandZ and click on "Most Recent Agenda" no sooner than the Friday prior to the hearing. **Please contact the planner listed below if you have questions.**

Scott Hobson, Director
Planning & Community Development
Wade Broadhead, Sr. Planner
(719) 553-2280

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Scott Hobson, Director
Planning & Community Development
Wade Broadhead, Sr. Planner
(719) 553-2280

CASE NUMBER V-22-02

CERTIFICATION

I hereby certify that I did this day cause written notice of the public hearing on the Easement Vacation: 904 S Ogden Ave. Alley Vacation to be sent to the attached list of owners of the property lying within hundred (300) feet of the said property on which the vacation is proposed by depositing the same properly addressed and postage paid in the post office, as set forth in the Code of Ordinances, Section 17-6-2.

4-25-22

(Date)

PUEBLO PLANNING & ZONING COMMISSION

By KAREN ELGIN

I hereby certify that I did this day verify and photograph the posted notice of the public hearing on the 904 S Ogden Ave. Alley Vacation, upon which action is pending as set forth in the Code of Ordinances, Section 17-6-2.

4-25-22

(Date)

PUEBLO PLANNING & ZONING COMMISSION

By KAREN ELGIN

Owner	OwnerStree	OwnerCity	Own	OwnerZip
ARAGON PAUL L	1000 S NORWOOD AVE	PUEBLO	CO	81001-5516
ERA HOLDINGS II LLC	1152 41ST LN	PUEBLO	CO	81006-9315
SALAS BETTY	1519 GRENADILLO ST	PUEBLO	CO	81001-4515
FUENTES MARYANN VALDEZ + VALDEZ	1520 GRENADILLO ST	PUEBLO	CO	81001-4516
WALKER CHRISTINE S + WOLFE LINDA D	1521 GRENADILLO ST	PUEBLO	CO	81001-4515
CHAVEZ MARY S	1522 GRENADILLO ST	PUEBLO	CO	81001-4516
BRECKENRIDGE PROPERTY FUND 2016 LI	2015 MANHATTAN BEACH E	REDONDO	CA	90278-1230
MOON BUDZ CORPORATION	2822 FARABAUGH LN UNIT I	PUEBLO	CO	81005-3191
DETELLO EMILIO/DETELLO FLORA/DETE	30601 EVERETT RD	PUEBLO	CO	81006-9547
PALMA PAUL/PALMA BONNIE L	553 S CAMINO DE LOS RAN	PUEBLO W	CO	81007-4066
GARCIA LORI A	935 ELM ST	PUEBLO	CO	81004-2531
MOLINA ABUNDIO SAMUEL	9669 HURON ST STE 200	DENVER	CO	80260-5669