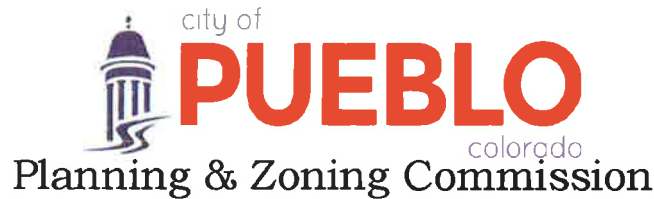


Jean Latka
Chair

Brandice Eslinger
Vice Chair

Bob Schilling
City Council Representative



David Webb

Brian Lucas

Raymond Seybold

V-15-03

TO: City of Pueblo, Planning and Zoning Commission
FROM: Kelly Grisham, Planner
THROUGH: Steven Meier, Director of Planning and Community Development
DATE: August 12, 2015
SUBJECT: Easement Vacation
APPLICANT: 1111 Bonforte Propco LLC
PROPERTY OWNER: Same
LOCATION: 1111 Bonforte Blvd
EXISTING ZONE: R-5, Multiple Residential and Office District
CONCURRENT REQUESTS: None

Request:

To vacate utility easements within Lot 18, Block 141, Belmont Villa Filing 1, and Lot 25, Block 141, Belmont 84th Filing.

Applicable Regulations:

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

Recommended Action:

Staff recommends that the Vacation be APPROVED.

Staff review and findings:

The applicant is requesting to vacate a 10' wide utility easement, which straddles the lot lines between Lot 18, Block 141, Belmont Villa Filing 1, and Lot 25, Block 141, Belmont 84th Filing. The current easements are located along the property line, and the building was constructed over the lot lines and easements. This request will eliminate the building being built over the easements. All utilities, except Black Hills Energy, have responded that they are in support of the vacation.

ATTACHMENTS:

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

V-15-03



Exhibit A. Aerial Overview

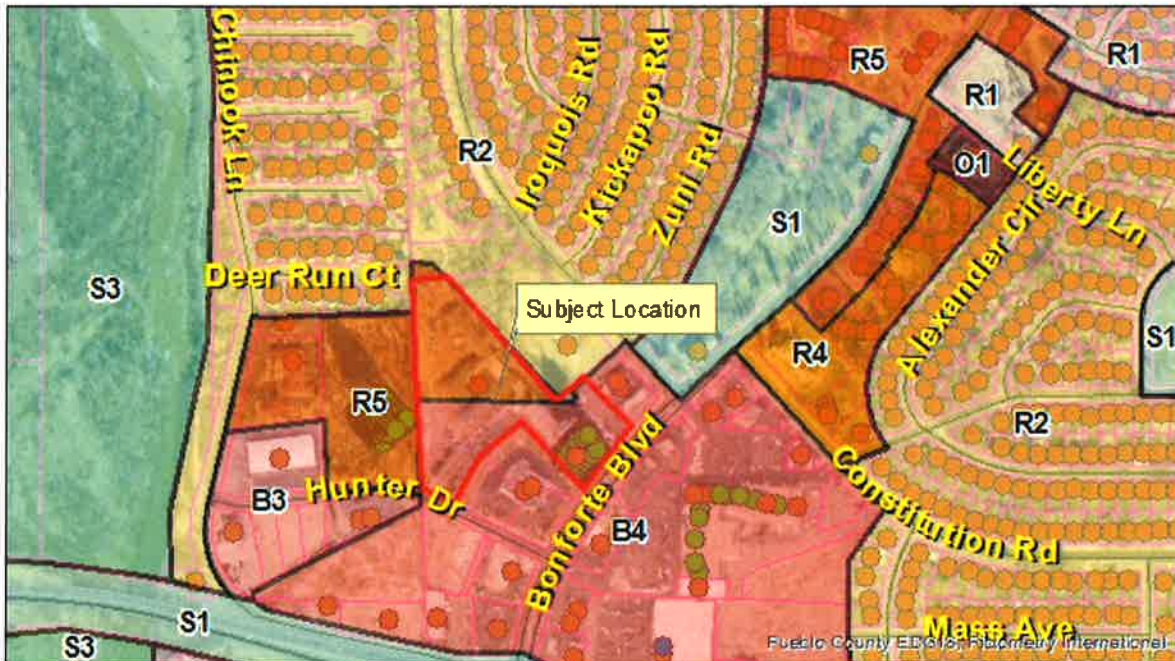


Exhibit B. Zoning Map

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Exhibit C. Comprehensive Map

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colorado
Planning & Zoning Commission

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V-15-03



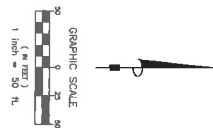
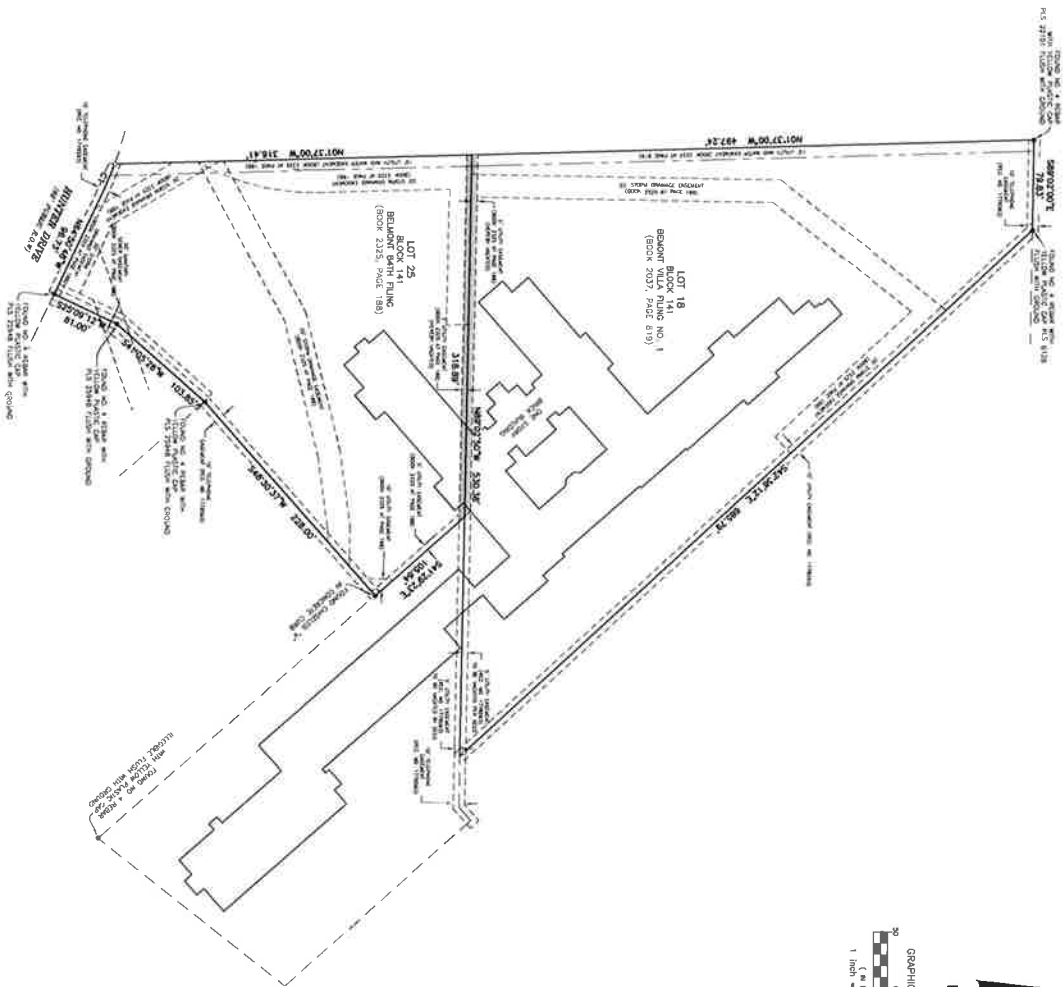
Site looking south from Bonforte Blvd



Public notice poster

LOT 18, BLOCK 141, BELMONT VILLA FILING NO. 1 TOGETHER WITH LOT 25, BLOCK 141, BELMONT 84TH FILING BEING SITUATED WITHIN THE SE 1/4 OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF PUEBLO, COUNTY OF PUEBLO, STATE OF COLORADO.

EASEMENT VACATION



EASEMENT VACATION DESCRIPTION:

The portion of a 5' utility easement, hereon and located in Lot 18, Block 141, Belmont 84th Filing No. 1, City of Pueblo, Colorado, is hereby vacated. The portion of a 5' utility easement on 14th Street and located in Lot 25, Block 141, Belmont Villa Filing No. 1, City of Pueblo, Colorado, is hereby vacated.

RESERVATIONS:

None

PURPOSE:

To vacate the easement of the existing building upon the utility easements.

SURVEYOR'S STATEMENT:

I, Nathaniel J. Keastis, a Licensed Professional Land Surveyor in the State of Colorado, do hereby certify that the foregoing description was prepared by me or under my direct responsible charge in April 2014.

Nathaniel J. Keastis
 Colorado Professional Land Surveyor No. 28160
 The map and plat is a true and correct survey.
 My office is located at 1400 Broadway, Suite 100, Pueblo, Colorado 81009.
 My registration expires on 01/01/2018.

ORDINANCE NO. _____
 PLAT FILED FOR RECORD _____
 ORDINANCE RECEPTION NO. _____
 PLAT RECEPTION NO. _____



EASEMENT VACATION		A PORTION OF THE SE 1/4 SECTION 19, T 20S, R 64W, 6TH P.M. 1111 BONFORTE BOULEVARD CITY OF PUEBLO, COUNTY OF PUEBLO, COLORADO																	
Project No. 140B2		Drawn By: RLM	Date: 02/15/2015																
		Checked By: JWC	Sheet 1 of 1																
<p>Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.</p>																			
		<table border="1"> <thead> <tr> <th colspan="4">Revisions</th> </tr> <tr> <th>No.</th> <th>Description</th> <th>By</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		Revisions				No.	Description	By	Date								
Revisions																			
No.	Description	By	Date																
		Clark & Co. Surveying & Mapping & Geospatial 1740 Lookout Blvd, Suite 140 • Pueblo, CO 81008 • 719.582.1270 www.clark-co.com																	



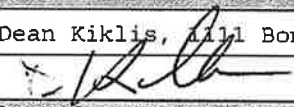
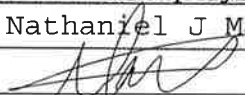
Vacation Application (Street, Alley, Easement, etc.)

Please type or **print** clearly. Illegible applications will not be accepted. Date Submitted:

Contact Info	Property Owner:		Applicant (If different from property owner):	
	Name: 1111 Bonforte Propco LLC (Dean Kiklis)		Name: Nathaniel Maestas	
	Address: 2668 North Park Drive		Company: Clark Land Surveying, Inc.	
	City, State & Zip: Lafayette, CO. 81026		Address: ^{1740 Eagleridge Blvd.} Suite 140	Zip: 81008
	Phone: (303) 952-9216		Phone: (719) 582-1270	Fax: 719-696-9430
	Email: dkiklis@frontlinemgmt.com		Email: nate@clarkls.com	
<i>The applicant will be the primary contact unless otherwise noted.</i>				
Property Info	Property Address or General Description:			
	Parcel No: 419428009			
	Legal Description: Lot 18, Block 141, Belmont Villa Filing No. 1 and Lot 25, Block 141, Belmont 84th Filing			
	Zone: R-5 Multiple Residential and Office			
Project Information	General Information			
	Provide a brief description of the proposed request: (separate narrative as Attachment A also required)			
	Vacate existing utility and power easement along the common lines of Lot 18, Block 141, Belmont Villa Filing No. 1 and Lot 25, Block 141, Belmont 84th Filing.			
	What is the reason for the vacation request? (separate narrative as Attachment B also required)			
	Vacate existing utility and power easement along the common lines of Lot 18, Block 141, Belmont Villa Filing No. 1 and Lot 25, Block 141, Belmont 84th Filing.			
	What type of area is the proposed vacation? <input type="checkbox"/> Street - Name: _____ <input type="checkbox"/> Alley <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Other : _____			
	What is the total acreage to be vacated? 0.073 Acres (3,189.86 Sq. Ft.)			
	Is the property part of a Special Area Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
	Conditions required for a Vacation:			
	On a separate paper as Attachment B, please provide the information required for a vacation in specific reference to each numbered item below:			
1. What effect will the proposed vacation have on the environment?			None	
2. What effect will the proposed vacation have on the economy?			None	
3. What effect will the proposed vacation have on traffic?			None	

(Continue Next Page)

(Continued from previous page)

Project Info	Site Information	
	<u>Use of the adjoining properties:</u>	
	North: Residential	East: Commercial
	South: Commercial	West: Residential
	Are there any other pending or recently approved Land Use applications regarding this property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please list:		
Attachments	Required attachments:	
	The following list of attachments are required to accompany all applications: <input type="checkbox"/> A. Detailed explanation of the vacation request as listed above. Be specific. <input type="checkbox"/> B. Effects of the vacation request as listed above. Be specific <input type="checkbox"/> C. Copy of recorded document to be vacated. <input type="checkbox"/> D. Twenty-one (21) folded prints of plat plus AutoCAD disc. <input type="checkbox"/> E. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us)	
Terms	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. 	
Signatures	Property Owner	
	Print Name:	Dean Kiklis, 1111 Bonforte Propco, LLC
	Signature:	 Date: 2/12/2015
	Applicant, if different from Property Owner	
Signatures	Print Name:	Nathaniel J Maestas
	Signature:	 Date: 02/19/2015

Office Use Only	Zoning Compliance (Completed by City Staff)		Receipt:
	Application received by:	Date:	
	Application checked for completeness by:	Date:	
	Case Manager:	Fee Paid:	
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
	Case #:	<input type="checkbox"/> Approved w/conditions	

February 11, 2015

City of Pueblo – Land Use Administration
211 E. 'D' Street
Pueblo, CO. 81003

**RE: Application for Easement Vacation
1111 Bonforte Boulevard
Pueblo, CO. 81001**

Attachment A:

1111 Bonforte Boulevard has come under new ownership and they plan to keep the operations of the existing facility the same, but wish to make upgrades to the facility. The existing building was built on and over the common lot line of Lots 18, Block 141, Belmont Villa Filing No. 1 and Lot 25, Block 141, Belmont 84th filing. The owner would like to vacate the existing platted utility and power easements that run along the common lot line of said lots, which currently have not utilities or drainage conveyances constructed within them. Vacation of the easements would help to alleviate the encroachment of the building onto the easements.

I have attached a statement from Robert Myers, with All Phase Locating. He was hired to investigate the easements and their uses and if any utilities do exist within these easements. Based on his information, we believe the easements that are along the common property line of said lots are not necessary to provide utility service or accommodate storm water runoff.

Attachment B:

The proposed easement vacation will have no negative impact on the environment, the economy or traffic flow. Currently there are no public utilities or drainage conveyances constructed within these easements. The property has functioned as a single development under a single ownership and will continue to operate this way.