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## V-16-03

**TO:** City of Pueblo, Planning and Zoning Commission  
**FROM:** Kelly Grisham, Senior Planner  
**THROUGH:** Steven Meier, Director of Planning and Community Development  
**DATE:** June 8, 2016  
**SUBJECT:** **Drainage Easement Vacation**  
**APPLICANT:** **James and Tammy Bowen**  
**PROPERTY OWNER:** Same  
**LOCATION:** 2013 Acero Avenue and 2010 Alma Avenue  
**EXISTING ZONE:** I-2, Industrial District  
**CONCURRENT REQUESTS:** None

**Request:**

To vacate all of the drainage easements within Lots 1 and 2, Bowen's Subdivision.

**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 with the following conditions:

1. Revise the "purpose statement" of Drainage Easement "A" to something similar to the following:  
"Purpose: To redesign the drainage facilities for the drainage easement dedicated to the public for perpetual use."
2. Revise the "purpose statement" of Detention Pond Easement "B" to something similar to the following:  
"Purpose: To redesign the detention facilities for Bowen's Subdivision."

(Reword these statements as you find appropriate. These comments are also shown on the attached dwf.)

3. Change the narrative to express that the intent is to redesign and relocate the drainage and detention facilities.

**Staff review and findings:**

The applicant is requesting to vacate all of the drainage easements located within Lots 1 and 2, Bowen's Subdivision for the purpose of redesigning the existing drainage and detention facilities. The purpose of the

easement vacation is so the applicant can relocate and redesign the drainage and detention facilities to better accommodate development on the property.

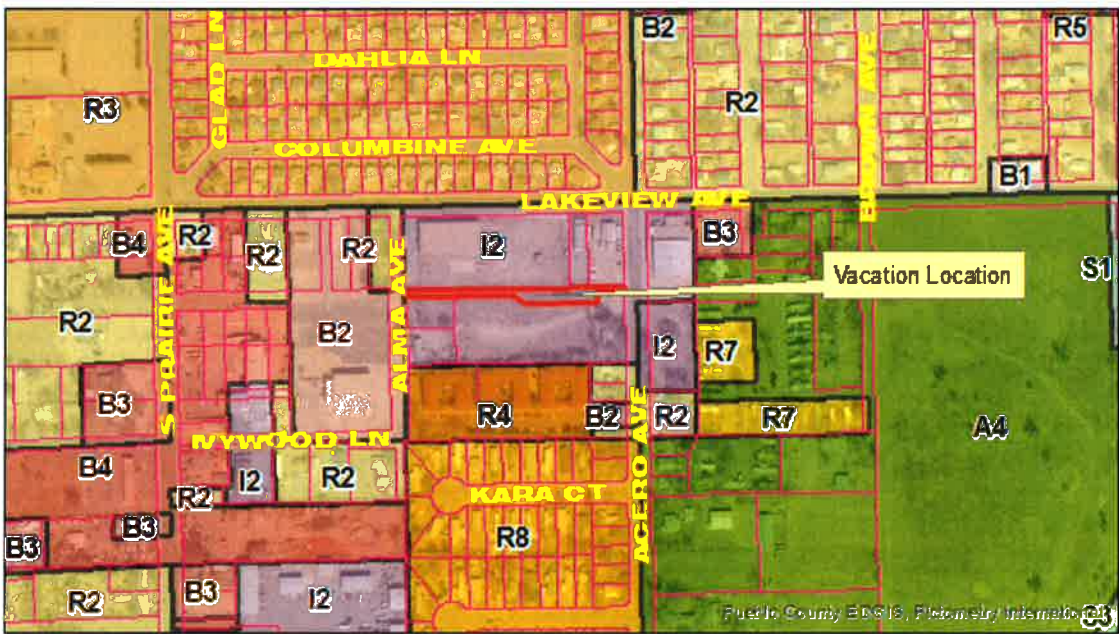
**ATTACHMENTS:**

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

**ATTACHMENTS:**



**A. Aerial Photograph**



**B. Zoning Map**



C. Comprehensive Plan Map

**Attachment D. Site Photos**



**Site Photo**



**Site Photo**





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|                            |   |  |
|----------------------------|---|--|
| <b>Project Information</b> | Provide a brief description of the proposed request:<br>(separate narrative as Attachment A also required)  |  |
|                            | SEE NARRATIVE ATTACHMENT A  |  |
|                            | What is the total acreage included in the project?  | VACATION 0.20 ± AC.<br>DEDICATION 0.32 ± AC AND 0.13 ± AC. |
|                            | What is the proposed use of the property:<br><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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |  |
| If yes, please list:       |   |  |
| <b>Attachments</b>         | <b>Attachment Checklist</b>   |  |
|                            | The following list of attachments are required to accompany all applications:<br><input checked="" type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific<br><input checked="" type="checkbox"/> B. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted.<br><input checked="" type="checkbox"/> C. Pueblo County Assessor's Property Information print out ( <a href="http://www.co.pueblo.co.us">www.co.pueblo.co.us</a> )<br><input checked="" type="checkbox"/> D. Additional information as required by the <b>P&amp;Z Submittal Requirements Sheet</b> .  |  |
| <b>Terms</b>               | By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:  |  |
|                            | 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<br>2. There are no known hazards or vicious animals present on the subject property.<br>3. All information contained in this application, is true and accurate to the best of my knowledge.<br>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.<br>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. |  |
| <b>Signatures</b>          | Property Owner  |  |
|                            | Print Name:   | JAMES BOWEN  |
|                            | Signature:  | <i>James Bowen</i> Date: 4-7-16                            |
|                            | Applicant, if different from Property Owner   |  |
| Print Name:                |   |  |
| Signature:                 |   |  |
| Date:                      |   |  |

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





