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Chair

Brandice Eslinger
Vice Chair

Chris Kaufman
City Council Representative



Planning & Zoning Commission

Weston Burrer

David Webb

Brian Lucas

Raymond Seybold

V-14-02

TO: City of Pueblo, Planning and Zoning Commission
FROM: Kelly Grisham, Planner
THROUGH: Steven Meier, Director of Planning and Community Development
DATE: April 9, 2014
SUBJECT: **Utility and Drainage Easement Vacation**
APPLICANT: **Randy Reeves, Cardinal Points Surveying**
PROPERTY OWNER: Bhole Motel, Inc
LOCATION: 670 Eagleridge Boulevard
EXISTING ZONE: B-3, Highway and Arterial Zone District
CONCURRENT REQUESTS: LL-14-01, Lot line rearrangement

Request:

To vacate certain public utility and drainage easements located within Lots 1 and 2, Block 2, Eaglecross 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.

Staff review and findings:

The applicant is requesting to vacate two (2) portions of a drainage easement and a portion of the utility easement located within Lots 1 and 2, Block 2, Eaglecross Subdivision because an existing sign and portion of the 2-story hotel encroach into the existing easements. The applicant is also requesting to eliminate the lot line between the two properties to create one (1) parcel with a separate application. The easements were platted with the Eaglecross Subdivision in 1987. The hotel was constructed across the lot line and easements. To bring the property into compliance with current regulations these utility easements must be vacated. The lots currently functions as one parcel; therefore, the lot line and easements are no longer necessary for the development. In addition, the existing sign along Eagleridge is located within the drainage easement. This easement is currently used for drainage purposes, but the sign will not impede the usage of the easement.

Agencies with no issues:

(no comments/response received from other agencies not listed)

1. Fire Department. (G. Micheli, 2/14/14)
2. Board of Water Works (S. Burbidge, 2/18/14)
3. Transportation Department (P. Whittlef, 2/20/14)

4. Regional Building Department (M. Colucci, 2/24/14)
5. Xcel Energy (P. Chappell, 2/25/14)
6. Stormwater (M. Turner, 3/20/14)

ATTACHMENTS:

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

V-14-02



Exhibit A. Aerial Photo

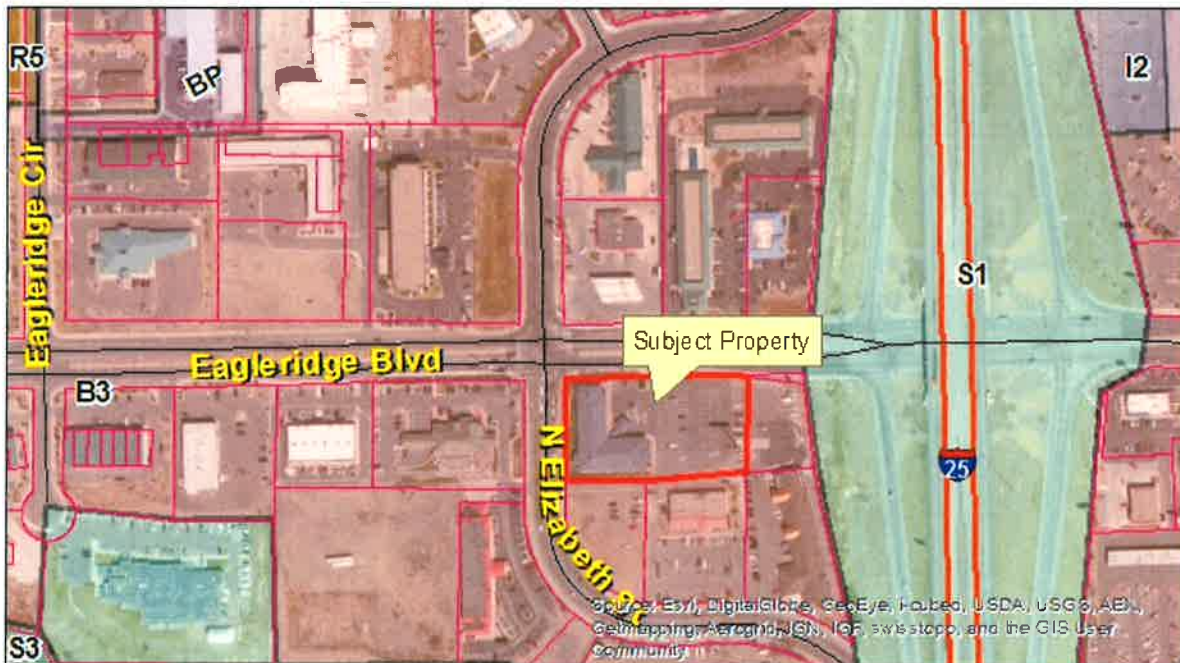


Exhibit B. Zoning Map

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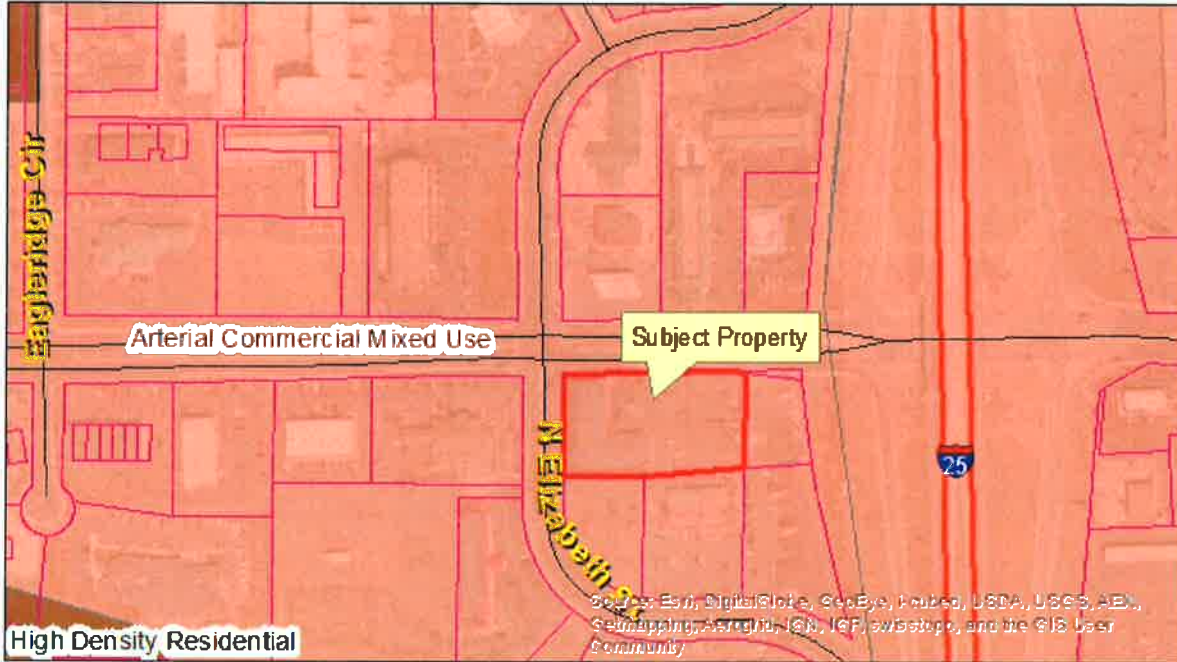


Exhibit C. Comprehensive Plan

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Site looking southwest from Eagleridge



Sign located in easement

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

V-14-02
1-27-10

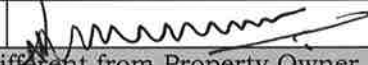
Please type or **print** clearly. Illegible applications will not be accepted.

Date Submitted:

Property Owner:		Applicant (if different from property owner):	
Contact Info	Name: BHOLE MOTEL INC	Name:	
	Address: 670 EAGLERIDGE BLVD	Company:	
	City, State & Zip: PUEBLO, CO 81008	Address:	Zip:
	Phone: (719) 250-8635 - NARESH SADHANI	Phone: ()	Fax:
	Email: NSADHANI@YAHOO.COM	Email:	
<i>The applicant will be the primary contact unless otherwise noted.</i>			
Property Info	Property Address or General Description:		
	Parcel No: 0512319010		
	Legal Description: LOTS 1 AND 2, BLOCK 2, EAGLECROSS SUBDIVISION		
	Zone: B-3		
Project Information	General Information		
	Provide a brief description of the proposed request: (separate narrative as Attachment A also required)		
	SEE ATTACHMENT A		
	What is the reason for the vacation request? (separate narrative as Attachment B also required)		
	SEE ATTACHMENT B		
	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?	0.12 ± ACRES	
	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 with the proposed vacation have on traffic?	NONE		

(Continue Next Page)

(Continued from previous page)

Project Info	Site Information	
	Use of the adjoining properties:	
	North: B-3	East: B-3
	South: B-3	West: B-3
	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: IS REARRANGEMENT OF PROPERTY BOUNDARIES TO BE SUBMITTED CONCURRENT		
Attachments	Required attachments:	
	The following list of attachments are required to accompany all applications: <input checked="" type="checkbox"/> A. Detailed explanation of the vacation request as listed above. Be specific. <input checked="" type="checkbox"/> B. Effects of the vacation request as listed above. Be specific <input checked="" type="checkbox"/> C. Copy of recorded document to be vacated. <input checked="" type="checkbox"/> D. Twenty-one (21) folded prints of plat plus AutoCAD disc. DWF (1) COPY <input checked="" 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:	
	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:	NARESH SADHWANI
	Signature:	 Date: 12/11/13
	Applicant, if different from Property Owner	
Signatures	Print Name:	
	Signature:	Date:

Office Use Only	Zoning Compliance (Completed by City Staff)		Receipt:		
	Application received by:	Date:	Date: 1/22/14 01	Receipt no: 2116	
	Application checked for completeness by:	Date:	ZJ	LU-VACATION (PER PLAT) 1.00 \$175.00	
	Case Manager:	Fee Paid:	CARDINAL POINTS SURVEYING	ZH	LU-LOT LINE REARRANGEMENT 1.00 \$125.00
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied	CARDINAL POINTS SURVEYING	CK CHECK	1804 \$300.00
Case #:	<input type="checkbox"/> Approved w/conditions	Total tendered	Total payment	\$300.00 \$300.00	
		Trans date: 1/22/14 Time: 16:00:19			

NARRATIVE

(ATTACHMENT A) EASEMENT VACATION

To vacate certain Easements, within Lot 1, Block 2, Eaglecross Subdivision, according to the recorded plat thereof, filed for record April 29, 1987, in Book 2344, at Page 868, as Reception No. 832277 in the records of the Pueblo County Clerk and Recorder, located within a portion of the S 124 of Section 12, Township 20 South, Range 65 West of the Sixth Principal Meridian, being more particularly described as follows:

All of the 24 foot wide Utility Easement, within said Lot 1, Block 2, Eaglecross Subdivision, being the east 24' of said Lot 1.

AND

That portion of the 20 foot wide Drainage Easement being 20 feet south of and parallel to the north line of said Lot 1, Block 2, Eaglecross Subdivision, being more particularly described as follows:

The south 7 feet of the east 9 feet of the west 65 feet of the said 20 foot wide Drainage Easement within Lot 1, Block 2, Eaglecross Subdivision.

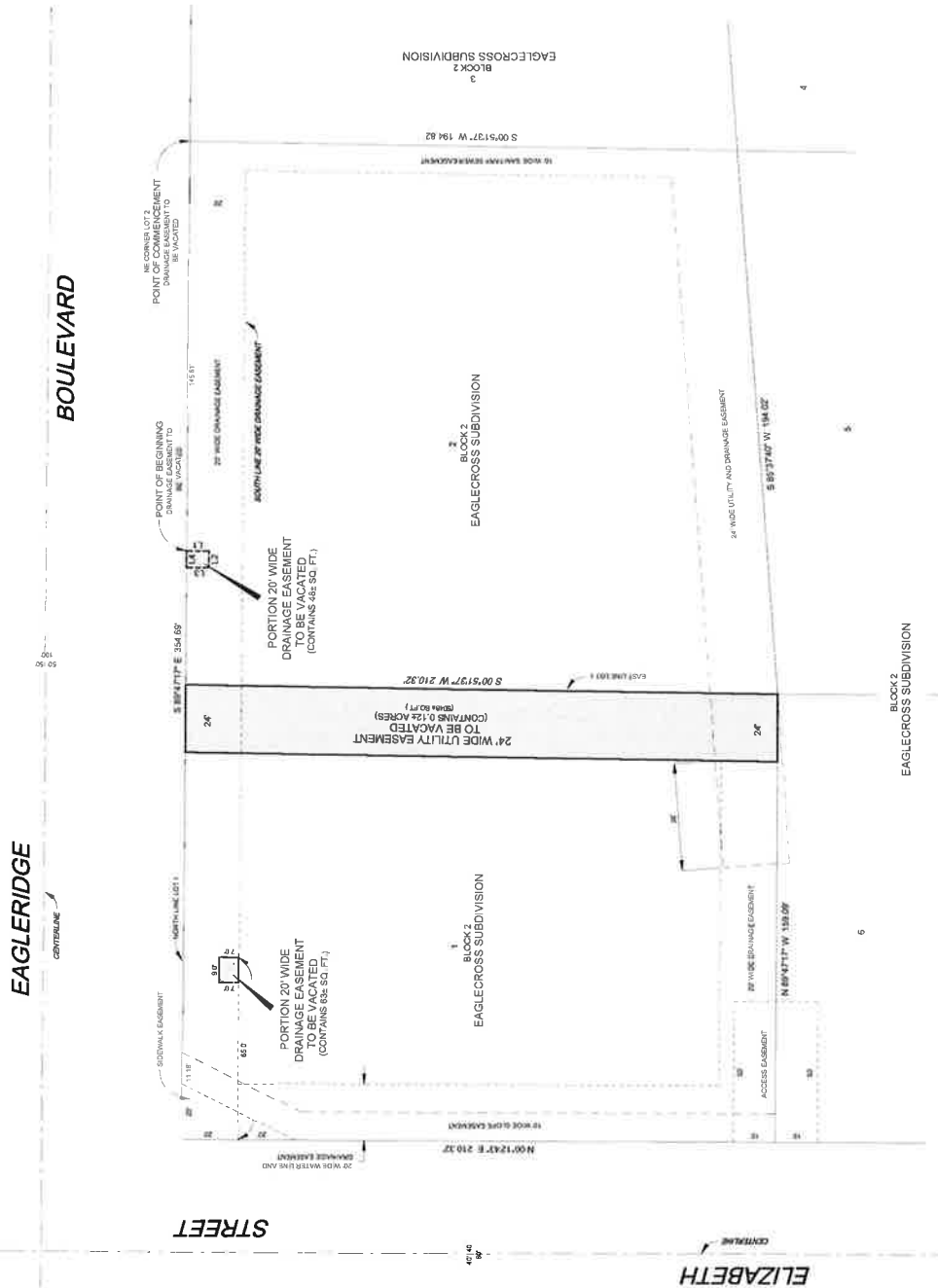
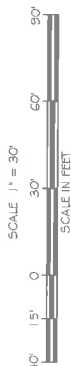
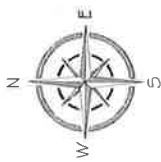
NARRATIVE

(ATTACHMENT B) EASEMENT VACATION

To alleviate the encroachment of that portion of the 2 story stucco hotel lying within the a 24' wide Utility Easement (which does not contain any existing utilities) and a 20' wide Drainage Easement being within Lot 1, Block 2, Eaglecross Subdivision, according to the recorded plat thereof, filed for record April 29, 1987, in Book 2344, at Page 868, as Reception No. 832277 in the records of the Pueblo County Clerk and Recorder.

EASEMENT VACATION

CERTAIN EASEMENTS WITHIN LOT 1, BLOCK 2, EAGLECROSS SUBDIVISION, LOCATED WITHIN A PORTION OF THE S 1/2 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF PUEBLO, COUNTY OF PUEBLO, STATE OF COLORADO.



Pueblo, Colorado
December 14, 2014

DESCRIPTION: Certain Easements within Lots 1 and 2, Block 2, Eaglecross Subdivision, according to the recorded plat thereof, filed for record April 28, 1987, in Book 2344, at Page 868, as Reception No. 832277 in the records of the Pueblo County Clerk and Recorder located within a portion of the S 1/2 of Section 12, Township 20 South, Range 65 West of the Sixth Principal Meridian, being more particularly described as follows:

All of the 24 foot wide Utility Easement within said Lot 1, Block 2, Eaglecross Subdivision, being the east 24 feet of said Lot 1.

Said vacated Utility Easement contains 5048± s.f.

AND

That portion of the 20 foot wide Drainage Easement being the north 20 feet of said Lot 1, Block 2, Eaglecross Subdivision, being more particularly described as follows:

The south 7 feet of the east 9 feet of the west 65 feet of the said 20 foot wide Drainage Easement within Lot 1, Block 2, Eaglecross Subdivision.

Said vacated Drainage Easement contains 63± s.f.

AND

That portion of the 20 foot wide Drainage Easement being the north 20.00 feet of said Lot 2, Block 2, Eaglecross Subdivision, being more particularly described as follows:

COMMENCING at the NE corner of said Lot 2, thence N 85°47'17" W (bearing based on the recorded plat of Eaglecross Subdivision, filed for record April 28, 1987, in Book 2344, at Page 868, as Reception No. 832277 in the records of the Pueblo County Clerk and Recorder) along the north line of said Lot 2, thence S 00°12'43" E, a distance of 8.00 feet to the NE corner of said Lot 2, thence S 89°47'17" W, a distance of 8.00 feet to the NE corner of said Lot 2, thence S 89°47'17" E, a distance of 8.00 feet to a point on the said north line of Lot 2, thence S 89°47'17" E, along said north line of Lot 2, a distance of 6.00 feet to the **POINT OF BEGINNING**.

Said vacated Drainage Easement contains 48± s.f.

RESERVATIONS: None

PURPOSES: To allow the encroachment of an existing sign and that portion of the 24 foot utility easement lying within the above mentioned 20' wide Drainage Easement and 24' wide Utility Easement.

I, **RANDY G. REEVES**, a Professional Land Surveyor registered in the State of Colorado, hereby certify that this Easement Vacation plat and descriptions were prepared by me or under my direct responsible charge.

RANDY G. REEVES DATE

PROFESSIONAL LAND SURVEYOR NO. 22101

ORDINANCE NO.:

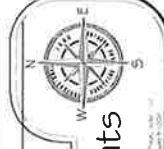
PLAT FILED FOR RECORD:

ORDINANCE RECEPTION NO.:

PLAT RECEPTION NO.:

LINE	LENGTH	BEARING
11	11.00	S 00°12'43" E
12	8.00	S 89°47'17" W
13	8.00	S 89°47'17" E
14	6.00	S 89°47'17" E

NO.	DATE	REVISIONS (COMMENTS)	DRAWN	CHECKED
3, 5, 4	11/27/14	FINAL CORRECTED DATE 2/2/14	RA	RA
SHEET 1 OF 1	DATE 11/27/14	SCALE 1" = 30'	PROJECT: BOULEVARD, MANSION, SACRAMENTO, PUEBLO, COLORADO, EASEMENT VACATION	
DRAWN BY: RA		CHECKED BY: RA		DATE: 11/27/14
SCALE: 1" = 30'		PROJECT: BOULEVARD, MANSION, SACRAMENTO, PUEBLO, COLORADO, EASEMENT VACATION		DATE: 11/27/14



Cardinal Points
Surveying, Inc.

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