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Dennis Flores
City Council Representative



Planning & Zoning Commission

Chris Kaufman

David Webb

Brian Lucas

Raymond Seybold

V-14-06

TO: City of Pueblo, Planning and Zoning Commission
FROM: Kelly Grisham, Planner
THROUGH: Steven Meier, Director of Planning and Community Development
DATE: November 12, 2014
SUBJECT: **Drainage Easement Vacation**
APPLICANT: **Randy Reeves, Cardinal Points Surveying**
PROPERTY OWNER: Wayne Meason, Venture 34LP
LOCATION: 805 Eagleridge Boulevard
EXISTING ZONE: B-3, Highway and Arterial Zone District
CONCURRENT REQUESTS: None

Request:

To vacate a portion of the drainage easements located within Lot 4, Eaglecross Subdivision, 6th 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 portion of a drainage easement located within Lot 4, Eaglecross Subdivision, 6th Filing because the applicant would like to install a business sign near Eagleridge Blvd. The easement was platted with the Eaglecross Subdivision in 2003. This easement is currently not being used for drainage purposes and there are no improvements within the easement.

ATTACHMENTS:

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

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Site looking north from Eagleridge



Public Notice

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Exhibit A. Aerial Photo

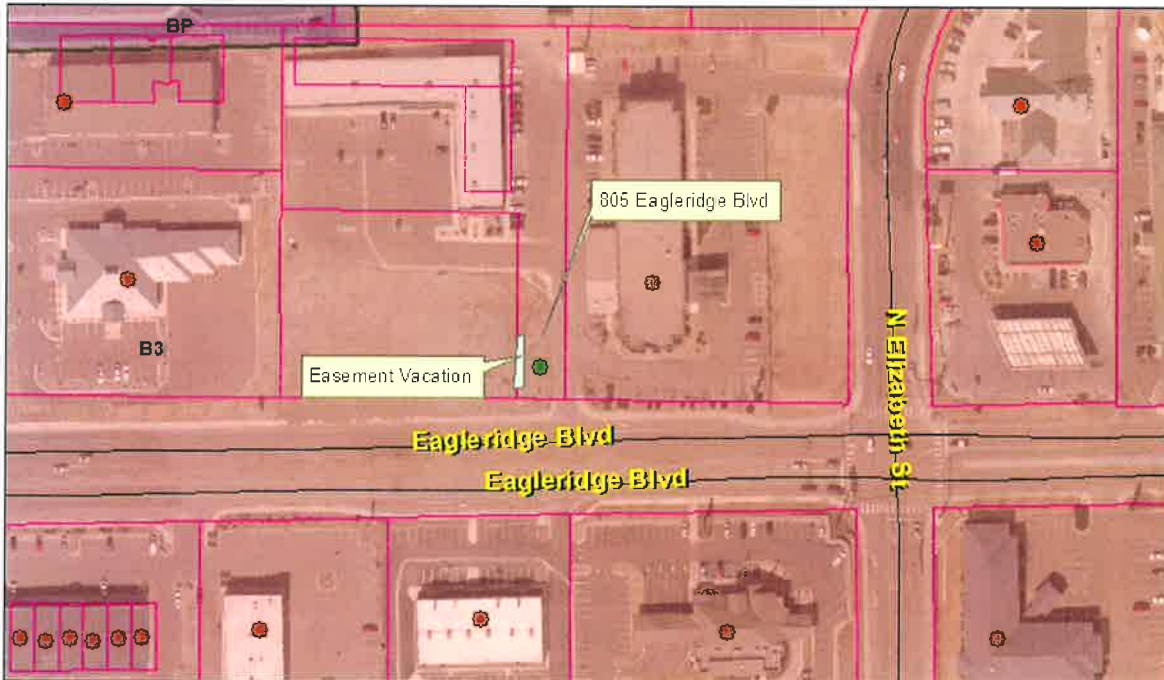


Exhibit B. Zoning Map

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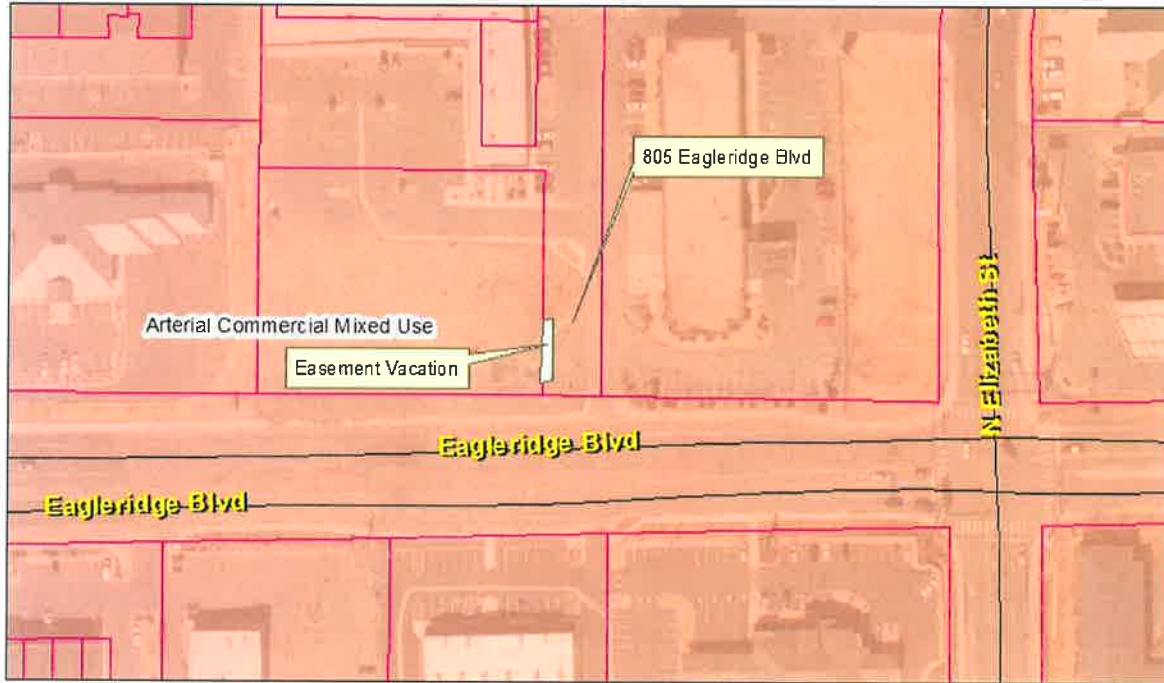
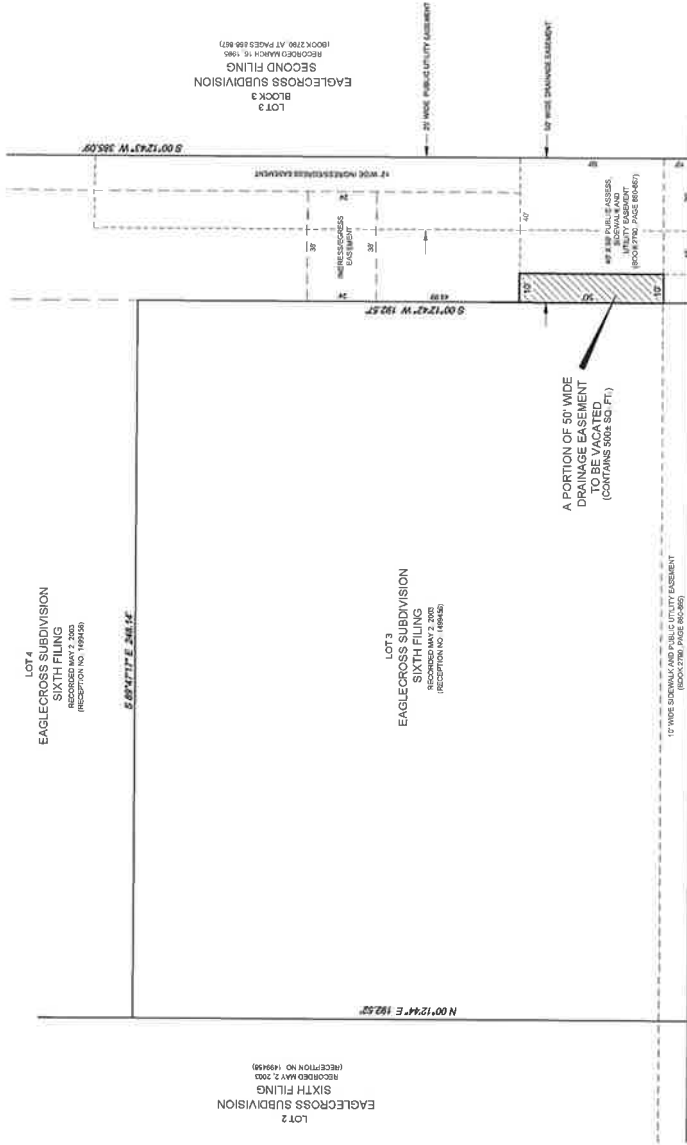
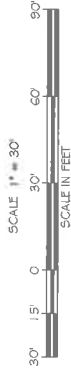
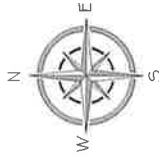


Exhibit C. Comprehensive Plan

EASEMENT VACATION

A PORTION OF THE 50' WIDE DRAINAGE EASEMENT WITHIN LOT 4, EAGLECROSS SUBDIVISION SIXTH FILING, LOCATED WITHIN A PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF PUEBLO, COUNTY OF PUEBLO, STATE OF COLORADO.



EAGLERIDGE BOULEVARD
(100' WIDE RIGHT-OF-WAY)

Pueblo, Colorado
September 10, 2014

DESCRIPTION: A portion of the 50' wide Drainage Easement within Lot 4, Eaglecross Subdivision Sixth Filing, according to the recorded plat thereof, filed for record May 2, 2003, as Reception No. 14994560 in the records of the Pueblo County Clerk and Recorder, located within a portion of the NE 1/4 of the SW 1/4 of Section 12, Township 20 South, Range 65 West of the Sixth Principal Meridian, being more particularly described as follows:

The westerly 10 feet of the northerly 50 feet of the southerly 60 feet of the 50 foot wide Drainage Easement within said Lot 4, Eaglecross Subdivision Sixth Filing.

Said vacated Drainage Easement contains 500s s.f.

RESERVATIONS: None

PURPOSE: To allow a business sign to be located within a portion of the above mentioned 50' wide Drainage 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
PROFESSIONAL LAND SURVEYOR NO. 22101

DATE _____

ORDINANCE NO.: _____

PLAT FILED FOR RECORD: _____

ORDINANCE RECEPTION NO.: _____

PLAT RECEPTION NO.: _____

NO.	DATE:	REVISIONS (COMMENT):	CHECKED:
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SHEET: 1 OF 1	DATE: 9-10-2014	SCALE: 1" = 30'
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PROJECT: WAYNE MEASON (805 EAGLERIDGE)
DESCRIPTION: EASEMENT VACATION
FILED: JOB NUMBER: 2014107
DRAWN BY: FILE NAME: 2014_107.DWG
CHECKED BY: 227 JOB NO.

Cardinal Points
Surveying Inc.
4555 Greenwood Park, Suite 110
P.O. Box 223, Pueblo, CO 81001-0223



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

Please type or **print** clearly. Illegible applications will not be accepted. Date Submitted: **V-14-06**

Property Owner:		Applicant (If different from property owner):		
Contact Info	Name:	VENTURE 34 LP, WAYNE MEASON	Name:	
	Address:	805 EAGLERIDGE BLD, UNIT C	Company:	
	City, State & Zip:	PUEBLO, CO 81008	Address:	Zip:
	Phone:	(719) 242-4469	Phone: ()	Fax:
	Email:	WWW.805EAGLERIDGE.COM	Email:	
<i>The applicant will be the primary contact unless otherwise noted.</i>				
Property Info	Property Address or General Description:			
	Parcel No:	512335011		
	Legal Description:	SEE ATTACHED		
	Zone:	B-3		
Project Information	General Information			
	Provide a brief description of the proposed request: (separate narrative as Attachment A also required)			
	SEE ATTACHED			
	What is the reason for the vacation request? (separate narrative as Attachment B also required)			
	SEE ATTACHED			
	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?	0.01 ± ACRES (500 ± S.F.)		
	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 require 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)

V-14.06

(Continued from previous page)

Project Info	Site Information	
	Use of the adjoining properties:	
	North: <u>B-3</u>	East: <u>B-3</u>
	South: <u>B-3</u>	West: <u>B-3</u>
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. <u>E-FILE</u> <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:	<u>VENTURE 34 LP</u>
	Signature:	<u>[Signature]</u> Date: <u>SEPT. 9, 2014</u>
	Applicant, if different from Property Owner	
Print Name:	<u>WAYNE MEASON</u>	
Signature:	<u>[Signature]</u> Date: <u>SEPT 9, 2014</u>	

Office Use Only	Zoning Compliance (Completed by City Staff)		Receipt:
	Application received by:	Date:	
	Application checked for completeness by:	Date:	
	Case Manager:	Fee Paid: <u>175.00</u>	
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions	
Case #:			

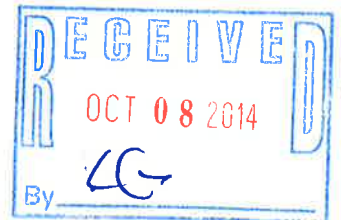
V-14-06

NARRATIVE

(ATTACHMENT A) EASEMENT VACATION

To vacate a portion of the 50' wide Drainage Easement within Lot 4, Eaglecross Subdivision Sixth Filing, according to the recorded plat thereof, filed for record May 2, 2003, as Reception No. 1499456 in the records of the Pueblo County Clerk and Recorder, located within a portion of the NE 1/4 of the SW 1/4 of Section 12, Township 20 South, Range 65 West of the Sixth Principal Meridian, being more particularly described as follows:

The westerly 10 feet of the northerly 50 feet of the southerly 60 feet of the 50 foot wide Drainage Easement within said Lot 4, Eaglecross Subdivision Sixth Filing.

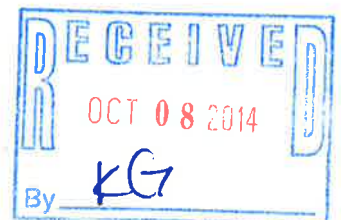


NARRATIVE

(ATTACHMENT B) EASEMENT VACATION

To allow a business sign to be located within a portion of the 50' wide Drainage Easement, within Lot 4, Eaglecross Subdivision Sixth Filing, according to the recorded plat thereof, filed for record May 2, 2003, as Reception No. 1499456 in the records of the Pueblo County Clerk and Recorder.

There are no improvements lying within that portion of the 50' wide Drainage Easement to be vacated as described in Narrative (Attachment A) Easement Vacation. The vacation of this portion of the drainage easement, and the structure that is proposed to be within the vacated area, will not impede the upstream flows for which the easement was intended.



CONDITIONS REQUIRED FOR A VACATION

(ATTACHMENT B)

1. A business sign will be placed within a portion of the vacated 50' wide Drainage Easement as described within, NARRATIVE (ATTACHMENT A) EASEMENT VACATION which will meet all City of Pueblo sign standards/requirements, therefor this easement vacation will not have a negative effect on the environment, nor the economy, nor the traffic.

