

**TOWN OF ERIE
PLANNING COMMISSION AGENDA ITEM
November 1, 2017**

SUBJECT: **Agenda #17-402:**
 Consideration Of A Resolution Regarding The Vacation Of Portions Of A Utility Easement Located In Erie Commons Filing No. 3, 1st Amendment, Lot 1A, Block 1, Final Plat; Adopting Certain Findings Of Fact And Conclusions Favorable To The Vacation.

CODE REVIEW: Erie Municipal Code, Title 10

PURPOSE: To vacate portions of an existing utility easement in Erie Commons Filing No. 3, 1st Amendment, Lot 1A, Block 1.

DEPARTMENT: Community Development

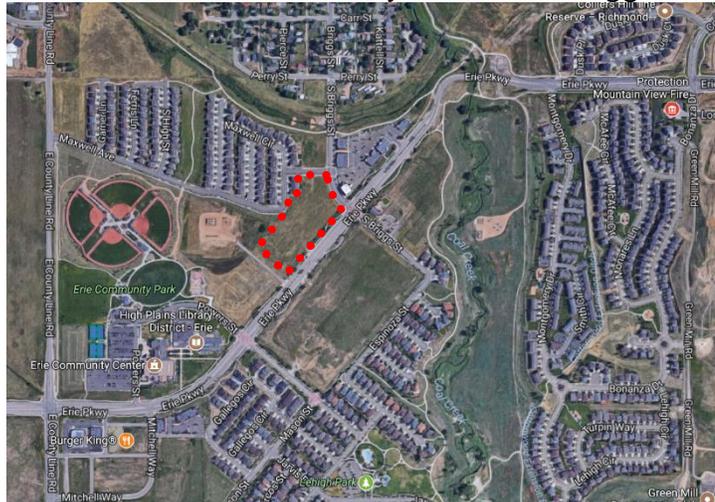
PRESENTER: Deborah Bachelder AICP, Planning Manager/Deputy Director of Planning & Development

STAFF RECOMMENDATION: Approval

SUMMARY AND BACKGROUND OF SUBJECT MATTER

Owner: Boulder Community Health
 4141 Arapahoe Road, Suite 206
 Boulder, CO 80303

Location: Intersection of Erie Parkway and South Briggs Street



Requested Action:

The applicant requests Vacation of portions of a utility easement to accommodate a new utility layout on the site. The utility easement is being relocated with the Erie Commons Filing No. 3, 3rd Amendment, Lot 1A1 and Lot 2, Block 1 Minor Subdivision plat.

Vacation Analysis

Staff finds the application is consistent with the Vacation approval criteria in Municipal Code, Section 10.7.10.B.9, as outlined below:

- a. The Vacation is generally consistent with the Town's Comprehensive Plan, as amended.

Staff: The application is generally consistent with the Comprehensive Plan.

- b. The right-of-way or easement will not be utilized in the short or long term or the Town receives conveyance or dedication of substituted easements or rights-of-way appropriate to satisfy the continuing municipal need.

Staff: The Erie Commons Filing No. 3, 3rd Amendment, Lot 1A1 and Lot 2, Block 1 Minor Subdivision plat will be dedicating utility easements to accommodate the new development of a medical facility on the site.

- c. The Vacation does not create an irregular right-of-way or easement configuration which could create difficulty in the provision of services or installation of public improvements.

Staff: The Vacation does not create irregular right of way or easement configuration.

- d. The Vacation serves the interest of the Town by removing maintenance or liability risks.

Staff: Not applicable to the easement.

- e. The public benefits and utility of the Vacation request outweigh any adverse impacts of the Vacation.

Staff: The new configuration of utilities on the property will be located in new easements dedicated on the Erie Commons Filing No. 3, 3rd Amendment, Lot 1A1 and Lot 2, Block 1 Minor Subdivision plat.

- f. The applicant will relocate, if necessary, any public facilities or utilities located within the right-of-way or easement, and grant and/or obtain an easement for relocation of said public facilities or utilities.

Staff: Utilities are not located in the portion of the easement being vacated.