



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: August 15, 2022

Re: *Copperstone, Plat 8 Sidewalk Easement Vacation (Case #195-2022)*

## Executive Summary

Approval of this request would vacate a portion of an existing pedestrian easement crossing Lots 123 and 124 of Copperstone Plat 1 and common lot C101A of Copperstone Plat 7. The easement was recorded as part of the non-traditional sidewalk network authorized within the Copperstone development in 2006 and subsequently modified and rededicated in 2010. The easement location has a significant impact on the future development of Lot 123 which is bisected by the easement presently. A replacement easement is proposed to be platted farther to the south of the affected lots as a part of Copperstone Plat 8, which will be introduced for Council consideration at the September 6, 2022 Council meeting.

## Discussion

A Civil Group (agent), on behalf of Poorna Karuthpari & Preethi Yerram, Thomas Morrow & Martha Black Morrow, and the Copperstone Homeowners Association (owners), are seeking to vacate an existing pedestrian easement originally dedicated in 2006 and subsequently vacated and rededicated in May 2010 (Ord. 020668) for the purpose of accommodating a non-traditional sidewalk location throughout the Copperstone development. The portion proposed to be vacated is 10 feet wide and roughly 152 feet in length, located on Lots 123 and 124 of Copperstone Plat 1, and Lot C101A of Copperstone Plat 7. The majority of the easement bisects Lot 123 creating a significant impediment to its future development. The vacation would create a more conventional location for a future home on the lot which is desired.

Associated with this request is a proposed replat of the subject lots which is currently under review by City Staff, and is tentatively scheduled for consideration by City Council on September 6, 2022. In addition to adjusting the southern boundaries of existing Lots 122 and 123, the replat would rededicate the existing pedestrian easement approximately 170 feet south of its current location to ensure that the non-traditional sidewalk network remains functional.

The new easement departs from its existing location within Lot 124 and turns to the south, traversing west to east near the creek at the southern edge of existing Lot C101A. The new easement then turns back to the north until it reconnects with the existing easement on the boundary between existing Lots 122 and 123, where the sidewalk accesses Copperstone Court (see attached aerial graphic depicting existing and proposed easement locations).



The requested vacation has been reviewed by internal/external staff and is recommended for approval given the pending replat and rededication of the relocated pedestrian easement.

Locator maps, aerial graphic, and easement vacation graphic are attached.

### Fiscal Impact

Short-Term Impact: None anticipated.

Long-Term Impact: None anticipated.

### Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Mobility, Connectivity, and Accessibility, Secondary Impact: Infrastructure, Tertiary Impact: Livable & Sustainable Communities

### Legislative History

Date	Action
8/21/12	Approved Copperstone Plat 7, replat of portions of Copperstone Plats 1,2,3,4, and 5. (Ord. 021386)
7/05/10	Accepted rededication of pedestrian easements on select parcel within Copperstone Plats 1, 2, 3, 4. (Ord. 020668)
12/5/06	Approved Copperstone Plat 1, granted variance from subdivision regulations requiring sidewalk construction. (Ord. 019312)
6/6/06	Approved Preliminary Plat of Copperstone, granted variances to permit 8' pedway in lieu of standard sidewalks. (R132-06)

### Suggested Council Action

Approve the vacation of the sidewalk easement on Lots 123 and 124 of Copperstone Plat 1 and Lot C101A of Copperstone Plat 7.