

STAFF REPORT

January 10, 2001

VAC #00VE014 - Vacation of Utility Easement

ITEM

GENERAL INFORMATION:

PETITIONER	Robert Blumenthal for Century Motels, Inc.
REQUEST	VAC #00VE014 - Vacation of Utility Easement
LEGAL DESCRIPTION	Utility easement adjacent to the north side of Blocks 1 and 2 in the Original Town of Rapid City, Section 36, T2N, R7E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	N/A
LOCATION	At the northeast corner of North Street and West Boulevard
EXISTING ZONING	Hotel/Motel District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Civic Center District
East:	Civic Center District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Vacation of Utility Easement be approved.

GENERAL COMMENTS: The applicant intends to construct a motel on lots adjacent to the above described utility easement. The steep terrain of this site requires that the developer construct retaining walls along the north side of the property within this easement. Therefore the applicant is requesting vacation of this utility easement to allow the construction of the retaining walls.

STAFF REVIEW: The applicant mailed the required notification letter to the necessary utility companies and comments have been returned to the Planning Department. Midcontinent Communications and Qwest had no objections to the vacation of this utility easement. However, Black Hills Power and Light currently has an overhead power line on the west side of this utility easement and Montana Dakota Utilities has a 6 inch steel main in close proximity to the north line of this easement. Both Montana Dakota Utilities and Black Hills Power and Light have stipulated that the applicant must grant private easements for these existing utilities prior to their approval of this vacation. The applicant filed with the Register of Deeds

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the necessary miscellaneous documents to grant the private utility easements as requested and subsequently Black Hills Power and Light and Montana Dakota Utilities have agreed to the vacation request.

The Engineering Division noted that the existing water and sanitary sewer systems may not be adequate for the proposed development of this site and the developer should be aware that extensions and upgrades of these services may be required. Engineering plans for water and sewer service lines, any required extension of municipal utilities and necessary easements for the construction and maintenance of these utilities will be required prior to issuance of a building permit.