

STAFF REPORT

February 28, 2001

VAC #00VE016 - Vacation of Utility and Minor Drainage Easement

ITEM

GENERAL INFORMATION:

PETITIONER	Donavan Broberg for ARC International, Inc.
REQUEST	VAC #00VE016 - Vacation of Utility and Minor Drainage Easement
LEGAL DESCRIPTION	Lot A of Prairie Auto Subdivision (formerly Block 4 less Lots 1 thru 5 of Block 4 and adjacent vacated alley R.O.W. and a portion of the North 50' of Lot 10 of Block 1 and adjacent alley R.O.W. all in Radio Towers Subdivision) and Lot 7 Revised of Lot A, SE1/4, SE1/4, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, including the East 60 Feet of the South 25 Feet of Lot 10, The East 60 Feet of Lot 9, and the vacated alley, Radio Towers Subdivision, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.29 Acres
LOCATION	1625 Cambell Street
EXISTING ZONING	General Commercial
SURROUNDING ZONING	
North:	General Commercial
South:	General Commercial
East:	General Commercial
West:	Medium Density Residential
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Vacation of Utility and Minor Drainage Easement be approved with the following stipulation:

Urban Planning Division Recommendations:

1. Prior to Legal and Finance Committee action, documentation from TCI Cablevision and Black Hills Fibercom shall be submitted indicating no objection to the vacation.

GENERAL COMMENTS: The applicant is proposing to vacate an eight foot wide utility and minor drainage easement located along the south lot line of Lot A of Prairie Auto Subdivision. The applicant's site plan identifies that the structure located on Lot A of Prairie Auto Subdivision is

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being expanded to the south and will cross the lot line between Lots 7 Revised of Lot A and Lot A of Prairie Auto Subdivision. The recorded easements relative to the south lot line of Lot A of Prairie Auto Subdivision must be vacated and Lot 7 Revised of Lot A and Lot A of Prairie Auto Subdivision must be designated a developmental lot to allow the structure to cross the lot line.

STAFF REVIEW: The applicant mailed the required notification letter to the necessary utility companies on February 15, 2001. Comments from three of the five companies have been returned to the Planning Department. Qwest and Montana Dakota Utilities had no objections to the vacation of this utility easement. Black Hills Power and Light stipulated that the applicant grant private easements for the existing utilities prior to their approval of this vacation. The applicant has filed with the Register of Deeds the necessary miscellaneous documents to grant the private utility easements as requested by Black Hills Power and Light. To date, TCI Cablevision and Black Hills Fibercom have not responded to this request. Staff is recommending that prior to Legal and Finance action on this item that documentation be received from both companies indicating no objection to this vacation. Staff will notify the committee if this information has been received at the February 28, 2001 committee meeting.