

STAFF REPORT

July 5, 2001

No. 01VE010 - Vacation of Eight Foot Wide Utility and Drainage Easement **ITEM**

GENERAL INFORMATION:

PETITIONER	James J. Doyle, Esq. For Ken Dehn
REQUEST	No. 01VE010 - Vacation of Eight Foot Wide Utility and Drainage Easement
LEGAL DESCRIPTION	Lots 1, 2 and 3 of R & L Subdivision located in Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	approximately 14.83 acres
LOCATION	east of Jenner Equipment and west of Ken Dehn Oil
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	County
South:	General Commercial / County
East:	County
West:	General Commercial
PUBLIC UTILITIES	none
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Vacation of Eight Foot Wide Utility and Drainage Easement be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to City Council approval, Lots 1, 2 and 3 of R & L Subdivision shall be designated as a developmental lot; and,

Urban Planning Division Recommendations:

2. Prior to City Council approval, Exhibit A shall be revised to reflect the name of the road as Lange Ranch Road or provide documentation identifying the road name as Lange Road.

GENERAL COMMENTS: The applicant is proposing to vacate two 8 foot side yard drainage and utility easements. The subject property is currently an undeveloped commercial lot located on the east side of Lange Ranch Road. The applicant intends to construct a 30,000 square foot building and parking area on the subject property. The applicant's site plan indicates that the building will be constructed across the easement between Lots 1 and 2. In addition, the applicant has indicated that future buildings may cross the easement between

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Lots 2 and 3.

STAFF REVIEW: Staff has reviewed this proposed request and has noted the following issues:

Utility Company Responses: The vacation of drainage and utility easements requires the permission of all affected utility companies. All of the affected utility companies have responded in writing stating that they do not object to the proposed vacation.

Engineering Concerns: As mentioned previously, the applicant intends to construct a building across the lot line between Lots 1 and 2. By designating these lots as a developmental lot the applicant will be able to construct the structure across the existing lot lines. Therefore, Engineering Division is requesting that Lots 1, 2 and 3 be designated as a Developmental Lot at this time, to ensure that the storm water drainage for Lot 3 will be addressed during the development of these lots.

Staff is recommending that the vacation of platted setbacks be approved. All future development of these lots will be required to meet setbacks as stated in the Rapid City Municipal Code or a variance will be required.