

STAFF REPORT

March 9, 2004

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**No. 04VE005 - Vacation of Utility and Minor Drainage Easement**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 04VE005 - Vacation of Utility and Minor Drainage Easement</b>
EXISTING LEGAL DESCRIPTION	Lots 1 and 2 of Autumn Hill Plaza Subdivision, located in the NW1/4 of the SW1/4 and the SW1/4 of the NW1/4 of Section 22, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.952 acres
LOCATION	Along Sheridan Lake Road
EXISTING ZONING	General Commercial District w/Planned Development Designation
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Residential Development
South:	General Commercial District w/Planned Residential Development
East:	General Commercial District w/Planned Residential Development
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	02/24/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Vacation of Utility and Minor Drainage Easement be approved.

GENERAL COMMENTS:

The applicant is proposing to vacate a utility and minor drainage easement located along the common lot line of Lots 1 and 2 of Autumn Hills Plaza. The subject property is located approximately 350 feet north of the Catron Boulevard/Sheridan Lake Road intersection on the east side of Sheridan Lake Road and is currently void of any structural development.

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On January 3, 2004, the applicant submitted an Initial and Final Planned Commercial Development request to allow a 9,090 square foot commercial structure on the subject property. (The Initial and Final Planned Commercial Development will be considered at the March 4, 2004 Planning Commission meeting.) A stipulation of approval requires that the utility and minor drainage easement be vacated as proposed or the site plan be revised relocating the commercial structure outside of the easement. (See companion item #04PD002.)

#### STAFF REVIEW:

Staff has reviewed the Vacation of Utility and Minor Drainage Easement request and has noted the following considerations:

Utility Companies: All of the affected utility companies have responded to the proposed vacation request. All of the responses have indicated support for the proposed request.

Drainage: The Engineering Division has indicated that the minor drainage easement is not needed to convey flows across the subject property. As such, the Engineering Division is recommending approval of the proposed Utility and Minor Drainage Easement Vacation request.

As indicated above, the utility companies and the Engineering Division support the proposed vacation request. As such, staff is recommending that the Vacation of Utility and Minor Drainage Easement be approved.