

STAFF REPORT  
November 9, 2004

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**No. 04VE021 - Vacation of Drainage Easement**

**ITEM**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc. for Scott Nash
REQUEST	<b>No. 04VE021 - Vacation of Drainage Easement</b>
EXISTING LEGAL DESCRIPTION	Lot 2 thru 7, Block 9, Meadows Subdivision, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	Located along Field View Drive at the intersections of Arlington Drive and Montage Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	Medium Density Residential District
West:	Low Density Residential District/General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	09/30/2004
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

Staff recommends that the Vacation of Drainage Easement be approved with the following stipulation:

1. Prior to City Council approval, a ten foot wide drainage easement shall be recorded at the Register of Deed's Office on the two properties located directly south of the subject property. In addition, the two property owners shall sign the drainage easement document.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Drainage Easement request to vacate 15 feet of an existing 25 foot wide drainage easement located along the south lot line of the subject property.

On April 7, 2003, the City Council approved a Final Plat subdividing the subject property into six residential lots. In addition, the Final Plat created a 25 foot wide drainage easement located along the south lot line of the subject property.

The property is located in the southwest corner of the Montage Drive/Field View Drive

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intersection.

STAFF REVIEW:

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

Drainage Easement: As previously indicated, a 25 foot wide drainage easement is located along the south lot line of the subject property. The applicant has submitted a drainage plan identifying that a 20 foot wide drainage easement will accommodate the drainage along this area of the subject property. In addition, the applicant has indicated that a ten foot wide drainage easement will be recorded at the Register of Deed's Office on the two properties located directly south of the subject property. As such, the applicant is requesting to vacate 15 feet of the existing 25 foot wide drainage easement located on the subject property. Staff is recommending that the drainage easement be recorded as identified prior to City Council approval. In addition, the two property owners must sign the drainage easement document.

Staff is recommending that the Vacation of Drainage Easement request be approved with the stipulation as identified above.