

STAFF REPORT
July 11, 2006

No. 06VE014 - Vacation of Utility Easement

ITEM

GENERAL INFORMATION:

PETITIONER	James S. Steele Construction, Co., Inc.
REQUEST	No. 06VE014 - Vacation of Utility Easement
EXISTING LEGAL DESCRIPTION	Lot 4, Steele Subdivision, located in the NW1/4, SE1/4, and NE1/4 SE1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .71 acres
LOCATION	2944 Evergreen Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/6/2006
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Vacation of Utility Easement be approved.

1. Prior to City Council approval, a SDCL 11-6-19 Review shall be obtained for the relocation of the sewer main. In addition, the sewer main shall be relocated as approved or surety shall be posted for the improvement.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Utility Easement request to vacate a portion of a utility easement located along the west lot line of the subject property. In addition, the applicant has submitted a SDCL 11-6-19 Review to relocate a portion of a sewer main located along the west side of the subject property. (See companion item #06SR053.)

The property was platted as a part of the Steele Subdivision in 1999. On August 2, 2004, the City Council denied a request to vacate a portion of the utility easement located along the west lot line. In particular, it was noted that a portion of the single family residence was located within the utility easement, approximately 8.47 feet from the sewer main. Due to concerns with the close proximity between the sewer main and the residential structure and potential damage(s) that may occur if the sewer main required maintenance and/or

STAFF REPORT
July 11, 2006

No. 06VE014 - Vacation of Utility Easement

ITEM

replacement, the City Council denied the request. As such, the applicant has submitted the associated SDCL 11-6-19 Review to relocate a portion of the sewer main to provide additional area between the structure and the sewer main.

The subject property is located at the southern terminus of Evergreen Drive. Currently, a single family residence with an attached garage is located on the property.

STAFF REVIEW:

Staff has reviewed the SDCL 11-6-19 Review and has noted the following consideration:

Utility Companies: All of the affected utility companies have responded to the proposed vacation request. In particular, all of the affected responses have indicated support of the proposed request.

Sewer Main Relocation: As previously indicated, the applicant has submitted construction plans to relocate the 8 inch water main approximately five feet west of its current location as it abuts the subject property. In addition, the construction plans show the installation of three man holes to accommodate the proposed reconstructed sewer main alignment. Staff is recommending that prior to City Council approval of the Vacation of Utility Easement request, a SDCL 11-6-19 Review be obtained for the relocation of the sewer main. In addition, the sewer main must be relocated as approved or surety shall be posted for the improvement

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

STAFF REPORT
July 6, 2006

No. 06VE014 - Vacation of Utility Easement

ITEM

STAFF REVIEW: