

STAFF REPORT
October 10, 2006

No. 06VE023 - Vacation of Minor Drainage and Utility Easement

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06VE023 - Vacation of a Minor Drainage and Utility Easement
EXISTING LEGAL DESCRIPTION	Tract E-3, McMahon Subdivision, and a portion of the unplatted balance of the NE1/4 SW1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.06 Acres
LOCATION	West of Haines Avenue and south of Kathryn Avenue
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	Medium Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/8/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

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

GENERAL COMMENTS: The applicant is proposing to vacate a Minor Drainage and Utility Easement on the subject property. The property is located west of Haines Avenue and south of Kathryn Avenue. The subject property is zoned General Commercial and is currently void of structural development.

On June 14, 2005 a Final Plat (05PL103) was approved for the subject property.

On October 31, 2005 a Minor Plat (05PL191) was approved subdividing the subject property into three lots.

On August 21, 2006 City Council approved with stipulations a Preliminary Plat (06PL116) for the subject property that expanded the boundaries of the lot southward.

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On September 8, 2006 a Final Plat (06PL137) was approved for the subject property.

STAFF REVIEW: Staff has reviewed the Vacation of a Minor Drainage and Utility Easement request and has noted the following issues:

Utility Company Approval: The vacation of a utility easement requires permission of all affected utility companies. Staff noted that all of the affected utility companies have been contacted. All five affected utility companies have provided written documentation indicating that they do not have objections to vacating the utility easement. Staff also noted that when the Final Plat (06PL137) was approved an eight foot wide Minor Drainage and Utility Easement was recorded along the south lot line as part of that document and would provide a location for future utilities.

Grading and Drainage: Staff noted that the easement is not required for drainage. Staff also noted that when the Final Plat (06PL137) was approved an eight foot wide Minor Drainage and Utility Easement was recorded along the south lot line as part of that document and would provide a location for future drainage.

Staff has reviewed the request for the vacation of a minor drainage and utility easement and has determined that the vacation will not effect future development. As such, Staff recommends that the Vacation of the Minor Drainage and Utility Easement be approved.