

STAFF REPORT
May 15, 2007

No. 07VE007 - Vacation of a portion of a Major Drainage Easement **ITEM**

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers, Inc. for Premier Homes, Inc.
REQUEST	No. 07VE007 - Vacation of a portion of a Major Drainage Easement
EXISTING LEGAL DESCRIPTION	Lot 21 of Minnesota Ridge Heights Subdivision, location in the SW1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.39 acres
LOCATION	527 Middle Valley Drive
EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Development Designation)
South:	Low Density Residential District (Planned Development Designation)
East:	Low Density Residential District (Planned Development Designation)
West:	Low Density Residential District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	4/11/2007
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

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

1. Prior to City Council approval, the proposed new drainage easement shall be revised to provide a minimum total width of 20 feet. In addition, the drainage easement shall be recorded at the Register of Deed's Office prior to City Council approval.

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GENERAL COMMENTS:

The applicant has submitted a Vacation of a Major Drainage Easement to vacate a portion of the easement. A corner of the existing residence and a portion of the attached deck are currently located within the Major Drainage Easement extending through the subject property. The applicant is proposing to provide a new easement south of the existing easement.

The property is located along the south side of Middle Valley Drive within the Minnesota Ridge Heights Subdivision. As noted above, a single family residence is currently being constructed on the subject property.

STAFF REVIEW:

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

Drainage Easement: The applicant has submitted a copy of the proposed new drainage easement to be recorded to accommodate the drainage through the subject property. The proposed new drainage easement, along with that portion of the existing drainage easement to remain on the property, will measure approximately 18 feet in width. However, a minimum 20 foot wide drainage easement must be provided. As such, staff is recommending that prior to City Council approval, the proposed new drainage easement be revised to provide a minimum total width of 20 feet. In addition, the drainage easement must be recorded at the Register of Deed's Office.

Grading: Staff has noted that a grading permit must be submitted for review and approval if any re-grading of the existing channel is proposed. In particular, the grading plan must address where the side slopes are at a 4:1 slope or greater.

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