

STAFF REPORT

April 29, 2008

No. 08VE008 - Vacation of a minor drainage and utility easement

ITEM

GENERAL INFORMATION:

| | |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT/AGENT | Lage Construction, Inc. |
| PROPERTY OWNER | Linda Rydstrum |
| REQUEST | No. 08VE008 - Vacation of a minor drainage and utility easement |
| EXISTING LEGAL DESCRIPTION | Lots 1 and 2 of Block 1 of the Villaggio at Golden Eagle, located in the SE1/4 of the NW1/4 of the SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 4.93 acres |
| LOCATION | 5832 Villaggio Lane |
| EXISTING ZONING | Low Density Residential District (Planned Residential District) |
| SURROUNDING ZONING | |
| North: | Low Density Residential District (Planned Residential District) |
| South: | General Agriculture District |
| East: | Low Density Residential District (Planned Residential District) |
| West: | Low Density Residential District (Planned Residential District) |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 3/28/2008 |
| REVIEWED BY | Vicki L. Fisher / Ted Johnson |

RECOMMENDATION:

Staff recommends that the Vacation of a minor drainage and utility easement be approved with the following stipulation:

1. Prior to Public Works Committee approval, written documentation from Black Hills Power and Qwest Communications shall be submitted for review and approval identifying concurrence with the request.

GENERAL COMMENTS:

The applicant has submitted a Vacation of a portion of the 16 foot wide utility and minor drainage easement located along the common lot line of Lots 1 and 2 of Block 1, Villaggio at Golden Eagle. In addition, the applicant has submitted a Vacation of a Non-Access

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Easement request to vacate approximately 25 feet of a non-access easement located along Montebello Court as it abuts Lot 2 of Block 1, Villaggio at Golden Eagle.

The property was originally platted in 2007. The applicant is now proposing to construct one single family residence on two lots.

The property is located in the northwest corner of the intersection of Montebello Court and Villaggio Lane. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Utility Companies: Vacating the utility easement along the common lot line of the lots as identified above requires that all of the affected utility companies concur with the request. To date, Qwest Communications has not submitted written documentation indicating that they concur with the request. In addition, Black Hills Power has indicated that a portion of the easement located along Villaggio Lane must be retained as a utility easement or the existing electrical equipment within this area of the property must be relocated. Staff is recommending that prior to Public Works Committee approval, written documentation from both utility companies be submitted for review and approval identifying concurrence with the proposed request.

Staff is recommending that the Vacation of a Utility and Minor Drainage Easement be approved with the stipulation of approval as identified above.