

STAFF REPORT
September 29, 2009

No. 09VE014 - Vacation of a Major Drainage Easement

ITEM

GENERAL INFORMATION:

APPLICANT	Olsen Development Company
AGENT	Centerline
PROPERTY OWNER	Phil Olsen
REQUEST	No. 09VE014 - Vacation of a Major Drainage Easement
EXISTING LEGAL DESCRIPTION	The balance of Windemere Subdivision and Block 5 of Windemere Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.91 acres
LOCATION	West side of Meadow Lane south of Twilight Drive and north of Weathervane Lane
EXISTING ZONING	Planned Unit Development
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Planned Unit Development
East:	Planned Unit Development
West:	Planned Unit Development
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	8/28/2009
REVIEWED BY	Patsy Horton / Mary Bosworth

RECOMMENDATION:

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

1. Prior to City Council approval, Exhibit A shall be revised to include the book and page of the existing Major Drainage Easement;
2. Prior to City Council approval, Exhibit A as submitted shall be revised to reflect one exhibit identifying that portion of the easement to be vacated and one exhibit to reflect that portion of the new major drainage easement to be recorded;
3. Prior to City Council approval, both exhibits shall be signed and sealed by a Registered Land Surveyor; and
4. Prior to City Council approval, the proposed Major Drainage Easement shall be recorded at the Register of Deed's Office and a copy of the recorded document shall be submitted

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to the Growth Management Department.

GENERAL COMMENTS: The applicant has submitted a request to vacate a portion of a Major Drainage Easement located on the Balance of Block 5, Windmere Subdivision. In addition, the applicant has submitted a document identifying an alternate location for a portion of the Major Drainage Easement.

The south side of the Balance of Block 5 has a major drainage easement that parallels Meadow Lane to a point just north of two existing 24 inch RCP culverts. These culverts drain a small detention area east of Meadow Lane, then discharges into the existing channel within the drainage easement. The revised portion of the easement is not a physical conveyance element, but an envelope for the existing culverts. The proposed change will not affect the channel carrying capacity. With the addition of the easement to the north of the culverts, the envelope is rearranged to provide culvert access.

The property is located south of the intersection of Meadow Lane and Twilight Drive. Currently, the property is void of any structural development.

STAFF REVIEW: Staff has reviewed the Vacation of a Major Drainage Easement request and has noted the following considerations:

Drainage: The applicant has submitted drainage information supporting the relocation of a portion of the Major Drainage Easement as proposed. In addition, relocating a portion of the drainage easement allows better access to the facility for maintenance purposes. As such, staff recommends that the Vacation of Major Drainage Easement request be approved contingent upon the proposed Major Drainage Easement being recorded at the Register of Deed's Office and a copy of the recorded document being submitted to the Growth Management Department prior to City Council approval.

Staff recommends that the Vacation of a portion of a Major Drainage Easement request be approved with the stipulations of approval as identified above.