

STAFF REPORT
March 29, 2011

**No. 10VE015 - Vacation of a Minor Drainage and Utility Easement
and a Major Drainage Easement**

GENERAL INFORMATION:

APPLICANT	Darrell Lich LICH Enterprises, Inc.
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	LICH Enterprises, Inc.
REQUEST	No. 10VE015 - Vacation of a Minor Drainage and Utility Easement and a Major Drainage Easement
EXISTING LEGAL DESCRIPTION	Lot B of Block 16 of Trailwood Village located in the SE1/4 of the SW1/4 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.757 acres
LOCATION	On the east side of Covington Street between Teak Drive and East S.D. Highway 44
EXISTING ZONING	Planned Unit Development (Pennington County)
SURROUNDING ZONING	
North:	Planned Unit Development (Pennington County)
South:	Planned Unit Development (Pennington County)
East:	Planned Unit Development (Pennington County)
West:	Planned Unit Development (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	12/17/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to Public Works Committee approval, an alternate utility easement shall be recorded at the Register of Deed's Office. In addition, a copy of the recorded document shall be submitted to the Growth Management Department.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Minor Drainage and Utility Easement and a Major Drainage Easement request to vacate easements located on Lot B of Block 16, Trailwood

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Village.

The property is located on the east side of Covington Street between Teak Drive and East S.D. Highway 44. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Utilities: The applicant has submitted an exhibit showing an alternate utility easement to be recorded to accommodate the existing utilities located on the property. All of the affected utility companies have indicated concurrence with the proposed Vacation request contingent upon the alternate utility easement being recorded. As such, staff recommends that prior to Public Works Committee approval, the alternate utility easement be recorded at the Register of Deed's Office. In addition, a copy of the recorded document must be submitted to the Growth Management Department.

Drainage: The existing drainage easements located on the property were originally created to secure an area for on-site detention until downstream improvements could be completed to accommodate drainage from the property. Since then, a drainage pipe has been constructed under S.D. Highway 44 and a channel has been constructed to carry drainage flows to Rapid Creek. As a result of these improvements, the on-site detention is no longer needed on the lot. As such, staff recommends that the Vacation request be approved.

Staff recommends that the Vacation of Minor Drainage and Utility Easement and a Major Drainage Easement request be approved with the stipulation as noted above.