

STAFF REPORT
March 24, 2005

No. 05VE002 - Vacation of an Access Easement

ITEM 25

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for Thomas Gagliano
REQUEST	No. 05VE002 - Vacation of an Access Easement
EXISTING LEGAL DESCRIPTION	Lots 8 and 9, Block 2, Skyline Pines Subdivision, SE1/4 SW1/4 Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.64 Acres
LOCATION	1501 Pevans Parkway and 3289 Sandstone Lane
EXISTING ZONING	Park Forest District - General Agriculture District
SURROUNDING ZONING	
North:	Park Forest District
South:	General Agriculture District
East:	General Agriculture District
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/25/2005
REVIEWED BY	Patsy Horton / Michelle Horkey

RECOMMENDATION: Staff recommends that the Vacation of an Access Easement be approved.

GENERAL COMMENTS: The subject property is located between Pevans Parkway and Skyline Drive, with Sandstone Court located along the east lot line of the property. Currently, the property is void of any structural development. The Planning Commission approved a Preliminary Plat (05PL010) to subdivide two existing lots into three residential lots. The applicant was granted a Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, and sidewalk along Skyline Drive and Sandstone Lane as it abuts the subject property. (See #04SV038) The section line highway right-of-way along the south lot line was previously vacated. A note was placed on the plat along this section line highway right-of-way identifying a "utility and access easement to remain as shown in Plat Book 30, Page 61 (1-4)". The applicant is now requesting to vacate the Access Easement. All adjacent property owners have concurred with the vacation request.

STAFF REVIEW: Staff has reviewed the proposed Vacation of Access Easement and has noted the following considerations:

Utility and Access Easement: Sandstone Lane, Skyline Drive and Pevans Parkway provide

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access to the adjacent lots along the access easement proposed to be vacated. Additionally, the affected utility companies inherently have "access" to utilities within a utility easement. Vacating the access easement will not adversely affect the adjacent lots or the utility companies.

Staff recommends approval of the Vacation of Access Easement.