

STAFF REPORT
January 31, 2006

No. 05VE025 - Vacation of Minor Drainage and Utility Easement

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for William Donhiser
REQUEST	No. 05VE025 - Vacation of Minor Drainage and Utility Easement
EXISTING LEGAL DESCRIPTION	The Lot Line common to Lots 2 and 3 of Block 1, Stoney Creek South Subdivision located in the NW1/4 SW1/4 of the SW1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.37 acres
LOCATION	5734 Sheridan Lake Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/4/2006
REVIEWED BY	Travis Tegethoff / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Vacation of Minor Drainage and Utility Easement be approved.

GENERAL COMMENTS: The subject property is located on the east side of Sheridan Lake Road between Catron Boulevard and Wildwood Road. The subject property is currently void of any structural development. The applicant is proposing to vacate the ten foot wide minor drainage and utility easement located on Lot 2 and the ten foot wide minor drainage and utility easement located on Lot 3 as shown on Exhibit "A".

STAFF REVIEW: Staff has reviewed the request for a Vacation of Utility Easement as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Utility Company Approval: The vacation of a utility easement requires permission of all affected utility companies. Staff noted that all of the affected utility companies have been contacted

STAFF REPORT
January 31, 2006

No. 05VE025 - Vacation of Minor Drainage and Utility Easement

and all five affected utility companies have provided written documentation that they do not have existing or proposed services within the easement and have no objections to vacating the utility easement.

Engineering: Staff noted that a grading/drainage plan or layout plan must be provided to verify the drainage easement will not be required for future development. Subsequently the applicant has provided a grading plan proposing a commercial building and parking lot be constructed over the existing easement. Staff has reviewed the information and concurs with the request to vacate the minor drainage and utility easement as proposed.

Planning: Staff noted that the site plan shows development across two lots, requiring either replatting the property or signing a developmental lot agreement to tie the two properties together prior to development. The applicant should be aware that the property must be replatted or the developmental lot agreement signed prior to the issuance of a building permit.

Staff recommends that the Vacation of the Utility Easement be approved.