

STAFF REPORT
February 28, 2006

No. 06VE002 - Vacation of a Minor Drainage and Utility Easement

ITEM

GENERAL INFORMATION:

PETITIONER	CETEC Engineering Services, Inc. for R & S Land Holdings
REQUEST	No. 06VE002 - Vacation of a Minor Drainage and Utility Easement
EXISTING LEGAL DESCRIPTION	Lots 7 and 8, Block 1, Northstar Subdivision, NE1/4 NE1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.78
LOCATION	At the northeast corner of the intersection of Emerson Lane and Dane Lane
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/10/2006
REVIEWED BY	Travis Tegethoff / Bob Dominicak

RECOMMENDATION:

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

GENERAL COMMENTS: The subject property is located north of Dane Lane between Emerson Lane and Dyess Avenue. The subject property is currently void of any structural development. The applicant is proposing to vacate the eight foot wide minor drainage and utility easement located on Lot 7 and the eight foot wide minor drainage and utility easement located on Lot 8 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

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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 the proposed vacation is as discussed with the applicant. Engineering noted no objections to the proposed vacation of the minor drainage and utility easement.

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. Subsequently, the applicant has signed the developmental lot agreement tying the two properties together.

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