

STAFF REPORT  
May 13, 2008

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**No. 08VE006 - Vacation of a portion of a major drainage easement**

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GENERAL INFORMATION:

APPLICANT	Donavan Broberg for ARC International
AGENT	Dan Ferber for Ferber Engineering Company
PROPERTY OWNER	Joseph A Kieffer
REQUEST	<b>No. 08VE006 - Vacation of a portion of a major drainage easement</b>
EXISTING LEGAL DESCRIPTION	<b>Lot 4 of Block 1, Stoney Creek South Subdivision, SW1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota</b>
PARCEL ACREAGE	Approximatey 1.18 acres
LOCATION	South of the intersection of Sheridan Lake Road and Catron Boulevard
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Agricultural District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	city water and sewer
DATE OF APPLICATION	3/14/2008
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

Staff recommends that the Vacation of a portion of a major drainage easement be approved.

GENERAL COMMENTS: **This staff report has been revised as of May 5, 2008. All revised and/or added text is shown in bold print. This application was approved at the April 21, 2008 City Council meeting but it was later determined that the legal description on the application and public notices omitted the Block number. Since the legal description was incorrect, staff has processed the request with the correct legal description.** The applicant is proposing to vacate a portion of an existing major drainage on Lot A of Stoney Creek South Subdivision as shown in Exhibit "A". The easement runs generally north and south across the east side of the property.

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The property is located east of Sheridan Lake Road and south of Catron Boulevard in the Stoney Creek South Subdivision. Currently, the property is void of structural development. The applicant is proposing to construct a commercial development on the property in the future. By vacating the easement the proposed structures could be located further from Sheridan Lake Road and more of the property would be developable.

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

Grading and Drainage: Staff noted that the applicant submitted a grading plan and drainage calculations for the property that shows the proposed vacation of the drainage easement will not have any significant adverse effects on the existing drainage route and surrounding properties. In addition, the property has a Planned Development Designation and any potential drainage issues could be addressed during the review and approval of a Planned Commercial Development – Initial and Final Development Plan.

Staff has reviewed the request for the vacation of a portion of a major drainage easement and has determined that the easement will not effect future development. As such, Staff recommends that the Vacation of the Drainage Easement be approved.

**Staff recommends approval of the Vacation of the Drainage Easement with the corrected legal description.**