

STAFF REPORT
March 30, 2010

No. 10VE005 - Vacation of Utility Easement

ITEM

GENERAL INFORMATION:

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| APPLICANT | Rapid City Area School District #1 |
| AGENT | Renner & Associates, LLC |
| PROPERTY OWNER | City of Rapid City |
| REQUEST | No. 10VE005 - Vacation of Utility Easement |
| EXISTING LEGAL DESCRIPTION | Tract 19 less Lot H-1 of Rapid City Greenway Tract, located in the E1/2 of Section 35, and the W1/2 of Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 34.4 acres |
| LOCATION | South of Rapid City Central High School, north of Omaha Street between West Boulevard North and North Mount Rushmore Road |
| EXISTING ZONING | Civic Center District and Flood Hazard District |
| SURROUNDING ZONING | |
| North: | General Agriculture District - Low Density Residential District - Medium Density Residential District |
| South: | Flood Hazard District |
| East: | Civic Center District |
| West: | Medium Density Residential District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 2/26/2010 |
| REVIEWED BY | Vicki L. Fisher / Karley Halsted |

RECOMMENDATION:

Staff recommends that the Vacation of Utility Easement be approved with the following stipulations:

1. Prior to the Public Works Committee meeting, written documentation shall be obtained from Knology indicating concurrence with the proposed vacation of easement request; and,
2. Prior to the Public Works Committee meeting, the alternate easement locations shall be recorded at the Register of Deed's Office and a copy of the recorded document(s) shall be submitted to the Growth Management Department.

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GENERAL COMMENTS:

The applicant has submitted a Vacation of Easement request to vacate a portion of a gas line easement and a telephone line easement extending through the property. In addition, the applicant has submitted a Vacation of Utility Easement request (File #10VE004) to vacate utility easements on the adjacent property.

The applicant has also submitted a SDCL 11-6-19 Review (File #10SR015) to renovate and expand Central High School and to construct a 12 inch city water main loop in order to provide required fire flows to the building. In particular, the project includes the construction of a science wing and a 9th grade wing along the north side of the existing building and the construction of a gymnasium, locker rooms and related offices along the south side of the existing building. Additional parking will also be provided south and east of the school. The site work associated with the renovations and additions includes replacing and constructing asphalt parking, constructing new storm sewer, constructing new stormwater treatment and attenuation ponds, relocating utilities and additional landscaping of the disturbed areas.

The property is located north of Omaha Street between West Boulevard North and North Mount Rushmore Road. Currently, Central High School is constructed on the adjacent property and tennis courts with restrooms and parking is constructed on this property.

The applicant is proposing to vacate the utility easements to accommodate the expansion of the school as identified.

STAFF REVIEW:

Staff has reviewed the Vacation of Utility Easement request and has noted the following considerations:

Utility Companies: All of the utility companies have indicated concurrence with the Vacation request with the exception of Knology. As such, prior to the Public Works Committee meeting, written documentation must be obtained from Knology indicating concurrence with the proposed vacation of easement request.

Easements: The applicant has submitted exhibits identifying alternate locations for the utilities as a result of the Central High School expansion project. As such, prior to the Public Works Committee meeting, the alternate easement locations must be recorded at the Register of Deed's Office and a copy of the recorded document(s) must be submitted to the Growth Management Department.

Staff is recommending that the Vacation of Utility Easement request be approved with the stipulations of approval as identified above.