

STAFF REPORT
March 30, 2010

No. 10VE006 - Vacation of Utility and Minor Drainage Easement

ITEM

GENERAL INFORMATION:

APPLICANT	Mandalay Homes LLC
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Mandalay Homes LLC
REQUEST	No. 10VE006 - Vacation of Utility and Minor Drainage Easement
EXISTING LEGAL DESCRIPTION	Lots 10 and 11 of South Pointe Subdivision, located in the NE1/4 NE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.34 acres
LOCATION	Southeast of the intersection of Parkview Drive and E. Enchanted Pines Drive
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Public District
South:	Low Density Residential District - Office Commercial District (Planned Commercial Development)
East:	Low Density Residential II District - Medium Density Residential District (Planned Residential Development)
West:	Public District - Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/4/2010
REVIEWED BY	Jim Flaaen / Ted Johnson

RECOMMENDATION:

Staff recommends that the Vacation of Utility and Minor Drainage Easement be approved with the following stipulation:

1. Prior to Public Works Committee approval, the proposed Utility and Minor Drainage Easement shall be recorded at the Register of Deeds' Office and a copy of the recorded document shall be submitted to the Growth Management Department.

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GENERAL COMMENTS: The applicant is proposing to vacate the Utility and Minor Drainage Easement as shown in Exhibit "A" on Lots 10 and 11, Block 3 of South Pointe Subdivision. The properties are currently void of any structural development. The applicant is requesting the vacation of utility and minor drainage easement to move existing lot lines to accommodate a specific house plan for prospective buyers of the property. The applicant has submitted site plans for the proposed structures on the reconfigured lots.

The properties are located approximately 80 feet south of the intersection of Parkview Drive and East Enchanted Pines Drive, on the west side of Parkview Drive. The properties are currently void of any structural development.

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

Dedicated Utility and Minor Drainage Easements: The applicant has submitted a Minor Plat application proposing to shift the interior lot line between the two lots. The Minor Plat identifies that an 8 foot wide minor drainage and utility easement will be dedicated along the relocated interior lot line. As such, the Minor Plat will serve as the tool to secure a utility and drainage easement along the common lot line between the two properties.

Proposed Building Plans: The applicant has submitted a site plan showing the proposed structures to be located on the reconfigured lots. The proposed structures will not encroach on the dedicated utility and minor drainage easements along the relocated interior lot lines.

Utility Company Approval: The vacation of utility easements requires permission of all affected utility companies. Staff noted that all affected utility companies have been contacted. All affected utility companies have provided written documentation indicating that they do not have any objections to the proposed vacation.

Grading and Drainage: Staff noted that grading and drainage plans were previously approved for the subdivision and it appears that vacating the existing Minor Drainage Easement will not have an adverse effect on surrounding properties. In addition, the applicant will be required to submit additional drainage and grading information when a building permit is reviewed and approved for the property.

Staff recommends that the Vacation of Utility and Minor Drainage Easement be approved with the stipulation identified above.