

STAFF REPORT  
December 7, 2006

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**No. 06VR010 - Vacation of Section Line Highway**

**ITEM 40**

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GENERAL INFORMATION:

PETITIONER	Centerline, Inc for PLM Development, LLC
REQUEST	<b>No. 06VR010 - Vacation of Section Line Highway</b>
EXISTING LEGAL DESCRIPTION	The section line right-of-way lying between SE1/4 NE1/4, and Lot 15 of Enchanted Hills Subdivision No. 3 of Section 23, T1N, R7E, and SW1/4 NW1/4 of Section 24, T1N, R7E
LOCATION	730 Enchantment Road
EXISTING ZONING	Low Density Residential District (Planned Residential Development) - Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development) - Low Density Residential District
South:	Low Density Residential District (Planned Residential Development) - Low Density Residential District
East:	Low Density Residential District (Planned Residential Development) - Low Density Residential District
West:	Low Density Residential District (Planned Residential Development) - Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	11/8/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Vacation of Section Line Highway be approved with the following stipulations:

1. Prior to City Council approval, documentation from all of the affected utility companies shall be submitted indicating no objection to the vacation request;
2. Prior to City Council approval, a minimum 30 foot wide public utility easement to accommodate the future looping of the City's water main shall be recorded at the Register of Deed's Office; and,
3. Prior to City Council approval, the Exhibit "A" shall be revised to read "Lot 15 of Enchanted Hills #3 Subdivision" in lieu of "Lot 15 of Enchanted Hills Subdivision #3".

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GENERAL COMMENTS:

The applicant has submitted a Vacation of Section Line Highway request to vacate a portion of a section line highway located along the west lot line of the subject property.

On July 6, 2006, the Planning Commission recommended approval of a Preliminary Plat to subdivide the subject property into 40 residential lots. The City Council will consider the Preliminary Plat at their December 4, 2006 City Council meeting. (See companion item No. 06PL087.)

On October 16, 2006, the City Council approved a Vacation of Section Line Highway request to vacate the balance of the section line highway located along the west lot line of the subject property, to be known as PLM Subdivision. (See companion item No. 06VR008.)

The property is located at the western terminus of Stumer Road and Enchanted Pines Drive and is currently void of any structural development.

STAFF REVIEW:

Staff has reviewed the Vacation of Section Line Highway and has noted the following considerations:

Utilities: To date, documentation has not been submitted identifying that the affected utility companies concur with the proposed Section Line Highway request. As such, staff is recommending that prior to City Council approval, documentation from all of the affected utility companies be submitted indicating no objection to the vacation request as proposed.

Exhibit "A": The Register of Deed's Office staff has indicated that the Exhibit "A" be revised to read "Lot 15 of Enchanted Hills #3 Subdivision" in lieu of "Lot 15 of Enchanted Hills Subdivision #3". Staff is recommending that the Exhibit "A" be revised as identified prior to City Council approval.

Public Utility Easement: The Public Works staff has indicated that a water main may be extended within the section line highway in the future in order to provide a looped water system. As such, staff is recommending that prior to City Council approval, a minimum 30 foot wide public utility easement be recorded at the Register of Deed's Office.

Staff is recommending that the Vacation of Section Line Highway be approved with the stipulation of approval as identified above.