

STAFF REPORT
July 30, 2007

No. 07VE025 - Vacation of Utility and Minor Drainage Easement

ITEM

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Rick Kahler
REQUEST	No. 07VE025 - Vacation of a portion of an eight foot Utility and Minor Drainage Easement
EXISTING LEGAL DESCRIPTION	Lot 11 of Block 3 of Kensington Heights Subdivision, located in Government Lot 4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.22 acres
LOCATION	Southeast of the intersection of Davin Drive and Field View Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Public Water and Sewer
DATE OF APPLICATION	6/27/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

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

GENERAL COMMENTS:

The applicant has submitted a request to vacate a portion of an eight foot Minor Utility and Drainage Easement on Lot 11, Block 3 of Kensington Heights Subdivision. The property is a .22 acre lot located southeast of the intersection of Field View Drive and Davin Drive. The subject property is currently void of any structural development. The property is currently zoned Low Density Residential District.

The easement that the applicant is requesting to vacate is located along the eastern boundary of Lot 11. The applicant has indicated that they plan to construct a single family residential structure that will be located on both Lot 11, and the abutting Lot 10.

STAFF REVIEW:

The applicant has submitted and obtained a Developmental Lot Agreement. The Developmental Lot Agreement allows the applicant to construct a structure that will be located on both Lot 10

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and Lot 11. Staff has noted the abutting Lot 10 has been platted (#06PL009). In addition staff has noted that the City Council approved the vacation of the abutting eight foot Utility and Minor Drainage Easement located on Lot 10 on July 2, 2007 (#07VE013).

DRAINAGE:

A drainage plan was approved during the platting process for both Lot 10 (#06PL009) and Lot 11 (#07PL075). Currently there are no drainage features such as a ditch or drain pipes located within the eight foot utility and minor drainage easement. The applicant's drainage plan identifies grading that directs the drainage flow to the west on Lot 11, and to the east on Lot 10. As such the drainage will flow into the existing eight foot Utility and Minor Drainage Easement that lies on the western boundary of Lot 11, and the eastern boundary of Lot 10. Staff has noted that the vacation of the this portion of a minor utility and drainage easement will not have an adverse effect on Lot 11 or any of the surrounding property.

UTILITIES:

The Vacation of the Utility and Minor Drainage Easement request requires the permission of all affected utility companies. The five utilities companies: Black Hills Power, Qwest, Mid-Continent, Prairie Wave and Montana-Dakota Utility have concurred with the applicant's vacation of easement request.

The proposed vacation of the subject eight foot Utility and Minor Drainage Easement does not appear have a significant adverse effect on the surrounding properties. Therefore staff recommends that the Vacation of the eight foot Minor Drainage and Utility Easement along the eastern boundary of Lot 11 be approved.