

STAFF REPORT
June 14, 2011

No. 11VE013 - Vacation of a Major Drainage Easement

GENERAL INFORMATION:

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| APPLICANT | Fifth Street Developers, LLC |
| AGENT | Ted Schultz for CETEC Engineering Services, Inc. |
| PROPERTY OWNER | Fifth Street Developers, LLC |
| REQUEST | No. 11VE013 - Vacation of a Major Drainage Easement |
| EXISTING LEGAL DESCRIPTION | Lot 2 and Lot 3 of Block 2 of Fifth Street Office Plaza located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 3.7 acres |
| LOCATION | 4831 and 4905 Fifth Street |
| EXISTING ZONING | Office Commercial District (Planned Development Designation) - Public District |
| SURROUNDING ZONING | |
| North: | Low Density Residential District |
| South: | Public District (Planned Development Designation) - General Commercial District (Planned Commercial Development) |
| East: | General Commercial District (Planned Development Designation) |
| West: | Office Commercial District (Planned Development Designation) |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 5/27/2011 |
| REVIEWED BY | Vicki L. Fisher / Ted Johnson |

RECOMMENDATION:

Staff recommends that the Vacation of a Major Drainage Easement be approved with the following stipulation:

1. Prior to Public Works Committee approval, a revised, signed and sealed Exhibit "A" shall be submitted for review and approval identifying the plat book and page on which the Major Drainage Easement was created and changing the notation for the existing lots to read Lot 2 and 3 of Block 2, Fifth Street Office Plaza.

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GENERAL COMMENTS:

The applicant has submitted a Vacation of Major Drainage Easement request to vacate the northern 10 feet of a previously platted 30 foot wide Major Drainage Easement located along the south lot line of the property.

The property is located between Enchanted Pines Drive and Parkview Drive on the south side of 5th Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Drainage: The property located south of this parcel was recently platted creating a 20 foot wide Major Drainage Easement which abuts this existing Major Drainage Easement. As such, vacating the 10 feet of easement as proposed retains a 40 foot wide Major Drainage Easement along the common lot line of the adjoining properties. The applicant has submitted drainage information demonstrating that the 40 foot wide Major Drainage Easement will accommodate the drainage within this area. As such, staff recommends that the Vacation of Major Drainage Easement to vacate the northern 10 feet of the existing 20 foot wide easement located on this property be approved.

Exhibit "A": The Register of Deed's Office has indicated that the Exhibit "A" be revised identifying the plat book and page on which the Major Drainage Easement was created and changing the notation for the existing lots to read Lot 2 and 3 of Block 2, Fifth Street Office Plaza. Staff recommends that prior to Public Works Committee approval, a revised, signed and sealed Exhibit "A" be submitted for review and approval.