

STAFF REPORT  
June 23, 2011

---

**No. 11VE014 - Vacation of Minor Drainage and Utility Easement**

---

GENERAL INFORMATION:

APPLICANT	Tom Helland - CAPE Investments Limited Partnership
AGENT	Renner & Associates, LLC
PROPERTY OWNER	CAPE Investments Limited Partnership
REQUEST	<b>No. 11VE014 - Vacation of Minor Drainage and Utility Easement</b>
EXISTING LEGAL DESCRIPTION	Lots 5 and 6 of Marlin Industrial Park located in Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.43 acres
LOCATION	1825 Marlin Drive
EXISTING ZONING	Heavy Industrial District (Planned Industrial Development)
SURROUNDING ZONING	
North:	Heavy Industrial District (Planned Industrial Development)
South:	Heavy Industrial District
East:	Heavy Industrial District (Planned Industrial Development)
West:	General Agriculture District
PUBLIC UTILITIES	City / City
DATE OF APPLICATION	6/6/2011
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

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

GENERAL COMMENTS:

On June 6, 2011, the applicant submitted a Vacation of Major Drainage Easement request to vacate a drainage and utility easement located between Lots 5 and 6 of Marlin Industrial Park. The dividing lot line is interior and runs north to south between each lot, at a distance of approximately 536 feet.

The property is located directly south of Marlin Drive, and east of the Dakota, Minnesota, and Eastern Railroad, in the southeast section of Rapid City. The property is currently

STAFF REPORT  
June 23, 2011

---

**No. 11VE014 - Vacation of Minor Drainage and Utility Easement**

---

undeveloped. The applicant has requested the vacation of the easement on the interior lot lines for both Lots 5 and 6. Easements on each interior lot line are 8 feet wide, resulting in a 16 feet wide vacation of easement.

**STAFF REVIEW:**

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

Dimensions of Easement: Please note that the total size of the current easement is 16 feet wide by approximately 536 feet long. An 8 foot easement along the interior lot lines of both Lots 5 and 6 accounts for the total width of the easement.

Drainage: The applicant's proposed developed drainage plan does not utilize the minor drainage and utility easement. The proposed drainage plan appears sufficient without the utilization of the easement. The applicant is proposing to vacate the entire 16 foot wide minor utility and drainage easement located along the common lot line between Lot 5 and Lot 6.

Utilities: All utility providers have submitted written documentation indicating no objection to the vacation of this drainage and utility easement.

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