

STAFF REPORT

July 26, 2001

No. 01VR003 - Vacation of Right of Way

ITEM 32

GENERAL INFORMATION:

PETITIONER	Renner & Sperlich Engineering for Craig Christianson
REQUEST	No. 01VR003 - Vacation of Right of Way
LEGAL DESCRIPTION	The westerly 10 feet of Pine Street between Latrobe Avenue and Luna Avenue adjacent to Lot D and Lot E of the NW1/4 SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	NA
LOCATION	Pine Street south of Motel 6
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City Water and Sewer
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Vacation of Ten Feet of Pine Street Right of Way between Latrobe Avenue and Luna Avenue be approved with the following stipulations:

Urban Planning Division Recommendations:

1. That prior to City Council approval, documentation shall be provided indicating that Quest has agreed to the proposed vacation;
2. That prior to City Council approval, documentation shall be provided indicating that Midcontinent Communications has agreed to the proposed vacation; and
3. That Prior to City Council approval, documentation that a utility easement acceptable Black Hills Power is granted.

GENERAL COMMENTS: The applicant is proposing to vacate ten feet at the western edge of Pine Street. The petitioner is developing Lot E and is seeking to enlarge the lot area which is available for construction. Currently, there is 80 feet of right-of-way dedicated for Pine Street. The reduction of the right-of-way to 70 feet will leave sufficient right-of-way to meet the standards for an industrial/commercial street pursuant to the minimum requirements of the Street Design Criteria Manual.

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STAFF REVIEW: The four affected utility companies have been contacted. Montana Dakota Utilities and Midcontinent Communications have indicated their concurrence with the proposed vacation. Quest has not responded to the vacation request. Staff has requested that prior to City Council approval, both Quest and Midcontinent Communications respond affirmatively to the vacation. Black Hills Power has indicated that they are going to extend an underground power line in this area. They have requested that a utility easement be retained for that portion of right-of-way being vacated.

The Engineering Division reviewed the proposed vacation of the southern ten feet of Pine Street and supports the request. The Street Design Criteria Manual requires that industrial/commercial streets have a minimum right-of-way width of fifty-nine feet. If the property owner on the east side of Pine Street decides to vacate another ten feet of right-of-way, Pine Street will still meet the City standards for right-of-way.