

STAFF REPORT

December 19, 2002

No. 02VR007 - Vacation of a portion of the section line highway and retaining it as a utility easement

ITEM 31

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 02VR007 - Vacation of a portion of the section line highway and retaining it as a utility easement
EXISTING LEGAL DESCRIPTION	A portion of the section line highway to be vacated located in Lot B of Lot 1 in the NE1/4, Section 22, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	0.70 Acres Proposed For Vacation
LOCATION	The west end of Fox Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Park Forest District
East:	General Agriculture District
West:	Park Forest District
PUBLIC UTILITIES	None
DATE OF APPLICATION	11/22/2002
REPORT BY	Tom Kurtenbach

RECOMMENDATION:

Staff recommends that the vacation of section line highway be denied.

GENERAL COMMENTS: The applicant is proposing to vacate a portion of the section line highway located along the east lot line of Lot B of Lot 1. Currently the subject property is zoned General Agriculture District and no structural development occupies Lot B of Lot 1. The section line highway proposed to be vacated is designated to serve as a 33 foot wide utility easement.

STAFF REVIEW: A petition to vacate the section line highway has not been submitted by the applicant for Staff review. According to Pennington County records, the owners of the land located adjacent to the segment of section line highway proposed for vacation include the applicant, Richard Kovarik, Althea Kelley, Rapid City Assembly of God Tabernacle and Coleman-Frizzell, Inc. The vacation petition must include the signatures of the owners of

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land located adjacent to the segment of section line highway proposed for vacation. As of **December 9, 2002**, the applicant has not submitted the completed petition with signatures to the Planning Department for verification.

Although the section line highway proposed to be vacated is designated to serve as a 33 foot wide utility easement, the vacation request requires the permission of all affected utility companies. At the time of this writing, no utility company responses have been received by the Planning Department.

According to the Major Street Plan, Highwood Road is proposed to serve as a collector street along the section line highway proposed for vacation. Currently, Highwood Road provides access from South Dakota Highway 16 to properties located north of Lot B of Lot 1. Fox Road provides access from Highway 16 to properties located south of Lot B of Lot 1. Vacation of the segment of section line highway adjacent to Lot B of Lot 1 would eliminate the required connectivity between Highwood Road and Fox Road. This future street would also provide internal traffic circulation for the area.

Based on the information referenced above, Staff can not support the vacation of the section line highway.