

STAFF REPORT

October 9, 2003

No. 03VR010 - Vacation of Section Line Highway

ITEM 22

GENERAL INFORMATION:

PETITIONER	Don Ward for Redrock Development Company LLC and Selador Ranches, Inc.
REQUEST	No. 03VR010 - Vacation of Section Line Highway
EXISTING LEGAL DESCRIPTION	The west 2094.7 feet of the sixty six foot wide section line highway lying between Sections 20 and 29, T1N, R7E, BHM; the north 3175.4 feet of the sixty six foot wide section line highway lying between Sections 29 and 30, T1N, R7E, BHM; the south 200 feet of the sixty six foot wide section line highway lying between sections 19 and 20, T1N, R7E, BHM; and, the east 33 feet of the sixty six foot wide section line highway lying between Sections 19 and 30, T1N, R7E, BHM; Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	8.288 acres
LOCATION	West of Red Rock Estates
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Low Density Residential District
West:	Suburban Residential District (County)
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	09/10/2003
REPORT BY	Karen Bulman

RECOMMENDATION:

Staff recommends that the Vacation of Section Line Highway be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to City Council approval of the Vacation of Section Line Highway, a copy of the recorded utility easements shall be submitted to the Engineering Staff for review and

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approval; and,

Planning Department Recommendations:

2. Prior to City Council approval of the Vacation of Section Line Highway, the legal description shall be revised to eliminate the 68 feet of right-of-way (Muirfield Drive) of the sixty six foot wide section line highway lying between Sections 29 and 30, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.

GENERAL COMMENTS: The applicant is proposing to vacate a 66 foot wide section line highway located on the west portion of the north boundary of Red Rock Estates and a 66 foot wide section line highway located on the north portion of the west boundary of Red Rock Estates. A revised Exhibit A removes a 68 foot wide portion of the west section line highway between Section 29 and 30, at the location of Muirfield Drive. The location of the proposed vacation of section line highway on the north boundary of Red Rock Estates is the current location of the Golf Course at Red Rocks, specifically the tee box on Hole #14. Access to property east of this proposed vacation of section line highway is prohibited by very steep terrains. A north/south road has been established adjacent to the proposed vacation of section line highway on the west boundary of Red Rock Estates.

STAFF REVIEW: Staff has reviewed the request and notes the following:

Utility Company Response: Black Hills Power has indicated the need to have a utility easement located along the existing section line highway to be able to maintain their current utilities. With a recorded utility easement, all five utility companies have indicated no opposition to the vacation. Therefore, prior to the vacation of the section line highway, a utility easement must be recorded at the Register of Deeds Office.

Engineering Concerns: The Engineering Division has indicated that a utility easement for a water line will be needed south of Muirfield Drive. Prior to the vacation of the section line highway, a 33 foot wide utility easement will need to be recorded at the Register of Deeds Office for property located on the west side of the section line between Section 29 and 30, south of Muirfield Drive.

Staff has reviewed the application and finds the vacation of section line highway along the north boundary of Red Rock Estates is appropriate due to the inability of constructing a future road along that location. Pending the recording of a utility easement located along the west boundary of the Red Rock Estates, the vacation of section line highway along the west boundary of Red Rock Estates is also appropriate as a north/south road has been constructed adjacent to the section line highway. The Staff recommends approval of this application to vacate the noted portions of section line highway with the stated stipulations.

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