

STAFF REPORT

January 8, 2004

No. 03VR015 - Vacation of Section Line Highway

ITEM 3

GENERAL INFORMATION:

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| PETITIONER | Sperlich Consulting, Inc. for Dean Kelly |
| REQUEST | No. 03VR015 - Vacation of Section Line Highway |
| EXISTING LEGAL DESCRIPTION | In the SE1/4 of SW1/4 of Section 16 and in the NE1/4 of NW1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 3.149 acres |
| LOCATION | 3960 Corral Drive |
| EXISTING ZONING | Low Density Residential District |
| SURROUNDING ZONING | |
| North: | Low Density Residential District w/Planned Residential Development |
| South: | Low Density Residential District |
| East: | Low Density Residential District |
| West: | Low Density Residential District w/Planned Residential Development |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 12/12/2003 |
| REPORT BY | Vicki L. Fisher |

RECOMMENDATION:

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

Engineering Division Recommendation:

1. Prior to City Council approval, a 66 foot wide utility easement shall be recorded at the Register-of-Deed's Office.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Section Line Highway request to vacate that portion of a section line highway located along the north lot line of the subject property. On May 8, 2003, the Planning Commission approved a Layout, Preliminary and Final Plat to subdivide the subject property into two lots. The Layout, Preliminary and Final Plat will be considered at the January 5, 2004 City Council meeting. A stipulation of the associated plat requires that the abutting section line highway be constructed to City street design

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standards or that a Variance to the Subdivision Regulations be obtained to waive the requirement to improve the section line highway or that the section line highway be vacated. As such, the applicant has submitted the Vacation of Section Line Highway request.

The property is located approximately 800 feet west of the Corral Drive/Ireland Place intersection on the north side of Corral Drive. Currently, a single family residence is located on the subject property.

STAFF REVIEW:

Staff has reviewed the Vacation of Section Line Highway request and has noted the following considerations:

Utilities: The applicant has indicated that a 66 foot wide utility easement will be recorded at the Register-of-Deed's Office for any existing and/or proposed utilities located within the section line highway. Staff is recommending that the 66 foot wide utility easement be recorded as proposed prior to City Council approval of the Vacation of Section Line Highway request.

Access: Currently, Corral Drive located along the south lot line of the subject property serves as legal access to the property. In addition, the section line highway is not identified on the City's Major Street Plan. As such, the Engineering Division is recommending that the Vacation of Section Line Highway request be approved.

Staff is recommending that the Vacation of Section Line Highway request be approved with the above referenced stipulation of approval.