

STAFF REPORT
July 22, 2004

No. 04VR005 - Vacation of Section Line Highway

ITEM 15

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST EXISTING LEGAL DESCRIPTION	No. 04VR005 - Vacation of Section Line Highway W1/2 of NW1/4 of Section 28, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 80 acres
LOCATION	East of Red Rock Estates Subdivision and north of Sheridan Lake Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	06/25/2004
REVIEWED BY	Vicki L. Fisher / Dave Johnson

RECOMMENDATION:

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

1. Prior to City Council approval, written documentation from Black Hills FiberCom concurring with the Vacation of Section Line Highway request shall be submitted;
2. Prior to City Council approval, a Comprehensive Plan Amendment to the Major Street Plan relocating a collector street from the section line highway shall be approved; and,
3. Prior to City Council approval, the east half of the section line highway shall be annexed into the City limits of Rapid City or the east half of the section line highway shall be vacated by the Pennington County Board of Commissioners.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Section Line Highway request to vacate a section line highway located along the west lot line of the subject property. The applicant has also submitted a Comprehensive Plan Amendment to the Major Street Plan to relocate a collector street from the section line highway to an area further east through the subject property. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way along Dunsmore Road, to allow

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plating half the right-of-way for a section line highway located along the north lot line and to allow lots twice as long as they are wide. The applicant has also submitted a request to annex the subject property. In addition, the applicant has submitted a Rezoning request to change the zoning designation of the property from No Use District to Low Density Residential District (See companion items #04CA028, 04SV041, 04AN007 and 04RZ036.)

On April 19, 2004, the City Council approved a Layout Plat to subdivide the subject property into 294 residential lots leaving an unplatted non-transferable balance. The property is located directly east of the Red Rock Estates Subdivision and is currently void of any structural development.

STAFF REVIEW:

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

Utilities: To date, Montana Dakota Utilities Company, Midcontinent Communications, Black Hills Power and Quest Communications have submitted written documentation supporting the proposed Vacation of Section Line Highway request. Staff is recommending that written documentation from Black Hills FiberCom concurring with the proposed Vacation of Section Line Highway request be submitted prior to City Council approval.

Annexation: The east half of the section line highway is currently located outside of the City limits. As such, staff is recommending that prior to City Council approval, the property must be annexed into the City limits or the east half of the section line highway must be vacated by the Pennington County Board of Commissioners.

Major Street Plan: The Major Street Plan currently identifies a collector street located within the section line highway. As previously indicated, the applicant has submitted a Comprehensive Plan Amendment to relocate the collector road from the section line highway to an area further east through the subject property. As such, staff is recommending that prior to City Council approval, the Comprehensive Plan Amendment to the Major Street Plan be approved as proposed.

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