

STAFF REPORT
July 7, 2005

No. 05VE007 - Vacation of Non-Access Easement

ITEM 38

GENERAL INFORMATION:

PETITIONER	D. C. Scott Co. for Muth Homes, Inc.
REQUEST	No. 05VE007 - Vacation of Non-Access Easement
EXISTING LEGAL DESCRIPTION	Lot 1, Block 1, Auburn Hills Subdivision, located in the NE1/4 SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1A and Lot 1B, Block 1, Auburn Hills Subdivision, located in the NE1/4 SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .37 acres
LOCATION	730 Auburn Drive
EXISTING ZONING	Low Density Residential - II District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Medium Density Residential District (Planned Residential Development)
East:	Medium Density Residential District
West:	Low Density Residential - II District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/3/2005
REVIEWED BY	Vicki L. Fisher / David L. Johnson

RECOMMENDATION:

Staff recommends that the Vacation of Non-Access Easement be approved.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Non-access Easement request to vacate a portion of a previously platted non-access easement located along Chalkstone Drive. In addition, the applicant has submitted a Preliminary Plat to subdivide the subject property into two townhome lots. (See companion item #05VE007.)

The property is located in the northeast corner of the intersection of Chalkstone Drive and Auburn Drive. Currently, the footings and foundations of the two townhomes are existing on the subject property.

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STAFF REVIEW:

Staff has reviewed the Preliminary Plat and has noted the following considerations:

Non-access Easement: The Street Design Criteria Manual requires a minimum separation of fifty feet between the Chalkstone Drive/Auburn Drive intersection and a driveway to proposed Lot 1A. The applicant has requested to vacate five feet of the existing 50 foot non-access easement located along Chalkstone Drive. In particular, the applicant has indicated that due to the design of the townhomes and topographic constraints located on proposed Lot 1A, the proposed driveway will be located five feet into the previously platted non-access easement. Staff notes that even though the two streets are both classified as sub-collector streets, Auburn Drive will carry a higher volume of traffic as it serves as direct access to Haines Avenue. As such, staff is recommending that the Exception as requested be granted.

Staff is recommending that the Vacation of Non-access Easement be approved as requested.