

STAFF REPORT
January 26, 2006

No. 05VR015 - Vacation of Right-of-Way

ITEM 56

GENERAL INFORMATION:

PETITIONER	Peter Hendricksen
REQUEST	No. 05VR015 - Vacation of Right-of-Way
EXISTING LEGAL DESCRIPTION	Sunnyside Avenue Right-of-Way lying adjacent to Lots 1 thru 14; the Poplar Avenue Right-of-Way lying adjacent to Lots 14, 15 and 20 foot alley Right-of-Way; and the 20 foot alley Right-of-Way lying adjacent to Lots 8 thru 14 and Lots 15 thru 21, all located in Block 11, Plainsview Second Addition, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.45 acres
LOCATION	At the southeast corner of the intersection of Poplar Street and Sunnyside Avenue
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Medium Density Residential District
East:	General Agriculture District
West:	Medium Density Residential District
PUBLIC UTILITIES	none
DATE OF APPLICATION	12/13/2005
REVIEWED BY	Mike Maxwell / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Vacation of Right-of-Way be approved with the following stipulation:

1. Prior to City Council approval, a developmental lot agreement shall be signed and on file with the Growth Management Department or the lots shall be re-platted into one lot.

GENERAL COMMENTS: The applicant has submitted an application for a Vacation of Right-of-Way to allow the property located at the southeast corner of the intersection of Poplar Street and Sunnyside Avenue and a portion of the 20 foot alley to be vacated and to become contiguous with the adjacent unplatted property.

STAFF REVIEW: Staff has reviewed the Vacation of Right-of-Way request and has noted the following considerations:

Utilities: Responses from all five affected utility companies have been received. Staff noted

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that all affected utility companies have indicated that they do not have services located within the easement and have no objections to vacating the right-of-way.

Major Street Plan: The City's Major Street Plan does not identify a street within the requested vacation of right-of-way.

Developmental Lot Agreement: To ensure that legal access to the adjacent properties is maintained, prior to approval by City Council a developmental lot agreement shall be signed and a copy submitted to Growth Management or the property shall be re-platted into one lot.

Staff recommends that the Vacation of right-of-way be approved with the above stated stipulations.