

STAFF REPORT  
March 8, 2007

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**No. 07VR001 - Vacation of Section Line Highway**

**ITEM 28**

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GENERAL INFORMATION:

PETITIONER	Boschee Engineering for OTS, Inc.
REQUEST	<b>No. 07VR001 - Vacation of Section Line Highway</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in the SW1/4 of Section 22, T1N, R7E, and the NW1/4 of Section 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.9 Acres
LOCATION	Southeast of the intersection of Sheridan Lake Road and Catron Boulevard
EXISTING ZONING	General Commercial District - General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District - General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/12/2007
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

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

1. Prior to City Council approval, written documentation shall be received from all the affected utility companies concurring with the vacation of Section Line Highway request; and,
2. Prior to City Council approval, all necessary miscellaneous documents required to secure utility easements for the existing and proposed utilities 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 a portion of the section line highway located in the SW1/4 of Section 22, T1N, R7E, and the NW1/4 of Section 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. The reason for the Vacation of Section Line Highway request is to develop 9 residential lots along the southern boundary of a proposed plat for 42 residential lots.

On February 8, 2007, the Planning Commission recommended approval of a Preliminary Plat (06PL178) with stipulations to subdivide an adjacent 16 acre parcel into 42 residential

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lots as a part of Catron Crossing Subdivision. The Preliminary Plat is scheduled to be considered at the March 5, 2007 City Council meeting. A stipulation of the Preliminary Plat requires that prior to Preliminary Plat approval by the City Council, road construction plans for the section line highway shall be submitted for review and approval, or a Variance to the Subdivision Regulations must be obtained, or the portion of the section line highway that abuts the subject property shall be vacated.

The subject property is located southeast of the intersection of Sheridan Lake Road and Catron Boulevard 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:

**Petition to Vacate Public Right-of-Way:** The applicant and adjacent property owner have submitted a petition to vacate a portion of section line highway that extends through the subject property to allow for the development of additional residential lots. The subject property has access from the north with the existing Nugget Gulch Drive and Bendt Drive right-of-ways and will have further access to the southern portion of the subject property when Nugget Gulch Drive and Bendt Drive is extended to the south as part of the platting of Catron Crossing Subdivision. In addition, the subject property has access along the west side of the subject property from the existing Sheridan Lake Road right-of-way. The petitioners also own the land along the west side of the subject property and that land has access from the north with the existing Overview Lane right-of-way. In addition, the property to the east has access from the east along that portion of the section line highway. The property to the east will also have additional access along the west side when Nugget Gulch Drive is extended as part of the platting of the platting of Catron Crossing Subdivision.

**Major Street Plan:** The City's Major Street Plan does not identify a street within the section line highway. In addition, topographic constraints within this area limit any future construction of a street.

**Master Plan:** Staff noted that as part of the approval of the Layout Plat (06PL089) for the subject property a master plan was submitted identifying a road networking system for the properties adjacent to the section line. The master plan indicated that streets would be developed to north and south of the section line to serve the adjacent properties.

**Utilities:** As of this writing the affected utility companies have not submitted written documentation concurring with the vacation of Section Line Highway request. As such, staff recommends that prior to City Council approval, written documentation shall be received from all the affected utility companies concurring with the vacation of Section Line Highway request and all necessary miscellaneous documents required to secure utility easements for the existing and proposed utilities shall be recorded at the Register of Deed's Office.

Staff is recommending that the Vacation of Section Line Highway be approved with the previously stated stipulations to allow for the development of residential lots along the southern boundary of a proposed plat.