

STAFF REPORT
June 25, 2009

No. 09VR002 - Vacation of Section Line Highway

ITEM 25

GENERAL INFORMATION:

APPLICANT/AGENT	Phil Olsen for Olsen Development Company, Inc.
PROPERTY OWNER	Olsen Development Co., Inc.
REQUEST	No. 09VR002 - Vacation of Section Line Highway
EXISTING LEGAL DESCRIPTION	The south 495 feet of the NE1/4 SE1/4 less Lot 1 and the unplatted portion of the SE1/4 SE1/4, all located in the SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 54.0 acres
LOCATION	2000 Golden Eagle Drive
EXISTING ZONING	Office Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation) - Public District
South:	Office Commercial District (Planned Development Designation)
East:	Office Commercial District (Planned Development Designation)
West:	Office Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/21/2009
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff recommends that the vacation of the western three feet of section line highway located along Promise Road be approved.

GENERAL COMMENTS:

The applicant has submitted a request to vacate the western three feet of the section line highway located along a portion of Promise Road as it abuts the property. In addition, the applicant has submitted requests to vacate approximately 295 feet of section line highway located approximately 450 feet north of Promise Road (File #09VR003) and to vacate approximately 430 feet of the section line highway currently known as "Golden Eagle Drive" located along the south lot line of the SE1/4SE1/4 of Section 22 (File #09VR004).

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On April 23, 2009, the Planning Commission approved a Preliminary Plat (File #09PL018) to subdivide the property located west of the section line highway into 51 lots to be known as "Skyline Village". City Council will consider this item at their July 6, 2009 City Council meeting.

The property is located north and west of the intersection of Golden Eagle Drive and Promise Road. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Utilities: All of the affected utility companies have submitted written documentation stating that they concur with the request to vacate the western three feet of the section line highway.

Promise Road: Promise Road is located along the east lot line of the property, within this 66 foot wide section line highway. Promise Road is classified as a collector street requiring that it be located within a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface with curb, gutter, sidewalk, street light conduit, water and sewer. The eastern 33 feet of the section line highway was previously platted as right-of-way as a part of the platting of the adjacent property. In addition, the associated Preliminary Plat shows the dedication of a 30 foot wide right-of-way located within the western half of the section line highway as required to provide the minimum right-of-way width for a collector street. Typically, the City would require that a Final Plat be recorded securing the required right-of-way prior to vacating any of the section line highway. However, the applicant has submitted construction plans showing that the street can be constructed in the existing 33 foot of right-of-way and the proposed 30 foot of right-of-way for Promise Road. In addition, the City owns the adjacent property which allows for additional right-of-way to be dedicated if necessary in the future.

Staff recommends that the Vacation of Section Line Highway request be approved.