

STAFF REPORT
September 9, 2010

No. 10VR006 - Vacation of Right-of-Way

ITEM 14

GENERAL INFORMATION:

APPLICANT	Century Resources, Inc.
AGENT	Sperlich Consulting, Inc.
REQUEST	No. 10VR006 - Vacation of Right-of-Way
EXISTING LEGAL DESCRIPTION	the 16 foot wide alley adjacent to a portion of Lot 3 less Lot H-1 and a portion of the NW1/4 SW1/4, and adjacent to Lot 2 of Block 2 of Menard Subdivision, located in the NW1/4 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.272 acres
LOCATION	East of Century Road and south of East North Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/16/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to City Council approval, the Exhibit shall be revised to show "US Highway 16 and I-90 Business Loop" as "E. North Street";
2. Prior to City Council approval, the Exhibit shall be revised to show the alley located directly south of the area being vacated as existing alley right-of-way in lieu of "alley previously vacated"; and,
3. Prior to City Council approval, the Exhibit shall be revised to identify the Section, Township and Range for Lot 3.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Right-of-way application to vacate a portion of an alley located east of Century Road and south of East North Street. The applicant has also submitted a Preliminary Plat (File # 10PL064) to create 7 lots as a part of the Vista Ridge

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Subdivision and the Menard Subdivision. The property identified within the Preliminary Plat is located directly south of the proposed alley vacation.

The alley was originally platted in 1940 as a part of Lots 3 thru 10 of Section 32, T2N, R8E. To date, the alley is unimproved.

STAFF REVIEW:

Staff has reviewed the Vacation of Right-of-way request and has noted the following considerations:

Utilities: The applicant has submitted written documentation from all of the affected utility companies indicating concurrence with the Vacation of Right-of-way request.

Access/Master Plan: All of the adjacent properties currently have alternate access. In addition, the applicant has submitted a Master Plan of this area demonstrating that the alley is not needed in order to access the property as it develops. In addition, the Master Plan identifies that the alley will be incorporated into the adjacent property and platted as a part of the associated Preliminary Plat.

Labeling: The Exhibit must be revised to show "US Highway 16 and I-90 Business Loop" as "E. North Street". In addition, the Exhibit must be revised to show the alley located directly south of the area being vacated as existing alley right-of-way in lieu of "alley previously vacated". The Register of Deed's Office has indicated that the Exhibit must also be revised to identify the Section, Township and Range for Lot 3. Staff recommends that the Exhibit be revised as identified prior to City Council approval.

Staff recommends that the Vacation of Right-of-way request be approved with the stipulations of approval as identified above.