

STAFF REPORT  
January 26, 2012

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**No. 11VR009 - Vacation of Right-of-Way**

**ITEM 11**

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GENERAL INFORMATION:

APPLICANT	Chad Lewis - OTS, Inc.
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	OTS, Inc. - Chad Lewis
REQUEST	<b>No. 11VR009 - Vacation of Right-of-Way</b>
EXISTING LEGAL DESCRIPTION	A portion of the Overview Lane right-of-way located in the S1/2 of the SW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .582 acres
LOCATION	South of intersection of Catron Boulevard and Nugget Gulch Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	General Agriculture District
East:	Medium Density Residential District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	12/30/2011
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

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

1. Prior to City Council approval, the applicant shall submit drainage plans for review and approval that show how stormwater from the road embankment within the area being vacated will not flow into the remaining street and right-of-way.

GENERAL COMMENTS: The applicant has submitted a Vacation of Right-of-Way request to vacate a portion of Overview Lane east of Nugget Gulch Road. The portion of right-of-way to be vacated is 52 feet in width and approximately 480 feet in length.

Overview Lane was dedicated as right-of-way as a part of the Final Plat of Lot 1 of Stoney

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Creek South No. 2 Subdivision (File #06PL039). A Master Plan was submitted at the time of Final Plat identifying Overview Lane as providing access to the unplatted remainder and the properties located east and south of this parcel.

The applicant has indicated that Overview Lane will remain on the Master Plan for the area and will be re-dedicated at such time as future development occurs.

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

Access: Overview Lane is not on the City's Major Street Plan. The Master Plan submitted as a part of the subdivision of Stoney Creek South No. 2 Subdivision shows that Overview Lane will provide access to the remainder of the property to the east and south. The property to the north of Overview Lane is accessed by Belgarde Boulevard and Wilkie Drive and the extension of Overview Lane is not currently required for access. The applicant has indicated that Overview Lane will be re-dedicated as right-of-way at a future time when the remainder of the property is to be developed providing access to the properties to the east and south. In addition, the remaining section of right-of-way and Nugget Gulch Road provide access to the adjacent unplatted balance.

Utilities: No water mains within the vicinity of Overview Lane are indicated on the April 2008 Utility Master Plan by Burns and McDonnell. The Utility Master Plan shows the future alignment of a sanitary sewer force main in the approximate location of Overview Lane. As the exact alignment is not certain, no easement is necessary at this time.

Drainage: Staff has identified that stormwater from the proposed vacated right-of-way may flow into the existing street. Staff is in concurrence that since the section of Overview Lane will be re-dedicated as right-of-way at the time of future development, curb will not be required to be installed at this time. Prior to City Council approval, the applicant must submit drainage plans for review and approval that show how stormwater from the road embankment within the area being vacated will not flow into the street and right-of-way which will remain.

Staff recommends that the Vacation of Right-of-Way be approved with the stipulation as identified above.