

STAFF REPORT  
September 5, 2013

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**No. 13VR001 - Vacation of Right-of-Way**

**ITEM 2**

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GENERAL INFORMATION:

AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Pete Lien and Sons Inc
REQUEST	<b>No. 13VR001 - Vacation of Right-of-Way</b>
EXISTING LEGAL DESCRIPTION	A portion of Lot A of the S1/2 of the SE1/4, Section 21, T2N, R7E, BHM, Rapid City and Pennington County, South Dakota, more fully described as follows: Commencing at the northeasterly corner of Lot A of the S1/2 of the SE1/4 in Section 21, T2N, R7E, BHM, and the point of beginning; Thence, first course: S 32°14'31" E, along the easterly boundary of said Lot A, a distance 137.79'; Thence, second course: S 29°53'35" E, along the easterly boundary of said Lot A, a distance 299.41', to the northeasterly corner of Tract B Rev. of Lien Industrial Park No. 2; Thence third course: S 51°56'03" W a distance 40.24'; Thence, fourth course: curving to the right, on a curve with a radius of 3745.00 feet, a delta angle of 01°55'34", a length of 125.90 feet, a chord bearing of N 37°06'10" W, and chord distance of 125.90 feet; Thence, fifth course: N 36°08'23" W a distance of 94.62' to a point on the westerly boundary of said Lot A; Thence, sixth course: N 29°56'31" W, along the westerly boundary of said Lot A, a distance of 84.79'; Thence, seventh course: N 32°14'31" W, along the westerly boundary of said Lot A, a distance of 177.91', to the northwesterly corner of said Lot A; Thence, eighth course: N 89°53'12" E, along the northerly boundary of said Lot A, a distance of 77.94', to the said point of beginning;
PARCEL ACREAGE	Approximately 0.635 acres
LOCATION	Northeast of Universal Drive
EXISTING ZONING	Light Industrial District
FUTURE LAND USE DESIGNATION	Industrial
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District

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West:	Light Industrial District
PUBLIC UTILITIES	Northdale Sanitary District
DATE OF APPLICATION	August 8, 2013
REVIEWED BY	Fletcher Lacock / Ted Johnson

**RECOMMENDATION:**

Staff recommends that the Vacation of Right-of-Way be approved.

**GENERAL COMMENTS:** The applicant has submitted a Vacation of Right-of-Way request to vacate a portion of Universal Drive approximately 1,400 feet northwest of the intersection of Universal Drive and Deadwood Avenue.

The proposed Vacation of Right-of-Way is located on the east side of Universal Drive and is approximately 0.635 acres in size. There is approximately 150 feet to 160 feet of right-of-way for Universal Drive within this area consisting of H-Lot(s) and platted right-of-way. The H-Lots were secured when Universal Drive was reconstructed and it was discovered that the street did not follow the platted right-of-way.

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

**Engineering:** Public Works staff has indicated that vacating the right-of-way will not have a negative impact on the City's Utility Master Plan. In addition, Northdale Sanitary District has indicated concurrence with the proposed vacation of right-of-way. Universal Drive is currently built as a rural section with no curb, gutter or sidewalk(s). H-Lots on the west side of Universal Drive were dedicated when the road was reconstructed. Currently, the platted right-of-way and H-Lots result in right-of-way approximately 150 feet to 160 feet in width. It appears that all street improvements are located in the remaining 100 feet of right-of-way. The minimum right-of-way required for Universal Drive is 100 feet.

**Transportation:** Universal Drive is identified as a Minor Arterial Street on the City's Major Street Plan which requires a minimum 100 foot wide right-of-way. Vacating the right-of-way as proposed maintains 100 feet of right-of-way.

**Utilities:** The utility companies, including Northdale Sanitary District, have indicated concurrence with the proposed Vacation of Right-of-Way.

Reducing the right-of-way width of Universal Drive as proposed continues to provide a street section in compliance with the City's adopted plans and secures a utility corridor. As such, staff recommends that the Vacation of Right-of-Way be approved.