

STAFF REPORT

December 6, 2001

No. 01VR007 - Vacation of Right-of-way

ITEM 5

GENERAL INFORMATION:

PETITIONER	Doug Sperlich for Chrisbro, LLC
REQUEST	No. 01VR007 - Vacation of Right-of-way
LEGAL DESCRIPTION	A portion of Pine Street located in the NW1/4 of the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	NA
LOCATION	Pine Street south of Motel 6
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 water and sewer
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Prior to City Council approval, the vacation document shall be revised to retain a utility and drainage easement; and,

Urban Planning Division Recommendations:

2. Prior to City Council approval, documentation from US West Communications and Black Hills Power shall be submitted indicating no objection to the vacation.

GENERAL COMMENTS:

The applicant is proposing to vacate a 10 foot X 30 foot portion of the Pine Street right-of-way located at the intersection of Luna Street and Pine Street, along the west side of Pine Street. On August 20, 2001, the City Council vacated that portion of the Luna Street right-of-way located between Rapp Street and Pine Street. In addition, the west ten feet of the Pine Street right-of-way located between Latrobe Avenue and Luna Avenue was vacated. The applicant has indicated that the proposed Vacation of Right-of-way request will vacate the remaining west ten feet of existing Pine Street right-of-way located adjacent to the previously vacated Luna Street right-of-way.

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STAFF REVIEW: Staff has reviewed the request and notes the following:

Utility Company Response: The vacation of right-of-way requires the permission of all affected utility companies. Of the six utility companies, four have responded. None of the responding companies have indicated any opposition to the vacation. To date US West Communications and Black Hills Power have not responded. Staff is recommending that prior to City Council approval, documentation shall be submitted by U. S. West Communications and Black Hills Power indicating no objection to the vacation.

Easement: A forty foot wide utility easement was retained within the previously vacated Luna Street right-of-way. The Engineering Division has indicated that a utility and drainage easement must be retained in the area proposed for vacation to allow for the future extension of utilities and/or drainage improvements. Staff is recommending that the vacation document be revised accordingly prior to City Council approval.