

STAFF REPORT
June 10, 2004

No. 04VE013 - Vacation of Non-Access Easement

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GENERAL INFORMATION:

PETITIONER	Dream Design International Inc.
REQUEST	No. 04VE013 - Vacation of Non-Access Easement
EXISTING LEGAL DESCRIPTION	Lot 16, Block 11, Red Rock Estates, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.42 acres
LOCATION	North of Muirfield Drive and west of Maidstone Court
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	05/14/2004
REVIEWED BY	Vicki L. Fisher / Dave Johnson

RECOMMENDATION:

Staff recommends that the Vacation of the non-access easement be approved.

GENERAL COMMENTS:

The applicant is proposing to vacate 40 feet of an existing non-access easement located along the south lot line of the above legally described property. A single family residence is currently being constructed on the property.

The property is located in the northwest corner of the Muirfield Drive/Maidstone Court intersection and is part of the Red Rock Estates Subdivision.

STAFF REVIEW:

Staff has reviewed the Vacation of non-access easement request and has noted the following considerations:

Street Classification: Muirfield Drive is located along the south lot line and Maidstone Court is located along the east lot line of the subject property. A non-access easement exists along Muirfield Drive and a portion of Maidstone Court. Muirfield Drive is classified as a

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collector street and Maidstone Court is classified as a sub-collector street. As such, the non-access easements were required along the lot lines requiring that access be taken from Maidstone Court when the property was originally platted. The applicant has submitted topographic information identifying that a driveway extending from Maidstone Court would have a grade of approximately 12% with a length of approximately 165 feet. Subsequently, a driveway extending from Muirfield Drive would have a grade of approximately 8% with a length of approximately 70 feet. The City Council has approved similar vacation of non-access easement requests along Muirfield Drive due to the topographic constraints relative to the intersecting street(s).

The Fire Department has indicated that they support allowing the driveway from Muirfield Drive as it provides improved emergency vehicle access to the residence currently being constructed on the property. In addition, staff has noted that vacating the non-access easement as proposing maintains a 100 foot separation from the driveway and the intersection of Muirfield Drive and Maidstone Court. (The Street Design Criteria Manual requires a minimum separation of 75 feet.) As such, staff is recommending that the vacation of the non-access easement be approved as requested.