

STAFF REPORT
July 8, 2004

No. 04VR003 - Vacation of Section Line Highway

ITEM 8

GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for Lazy P-6 Properties, LLC
REQUEST	No. 04VR003 - Vacation of Section Line Highway
EXISTING LEGAL DESCRIPTION	Commencing from the northwest corner of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; thence S0°07'54.5"W a distance of 1141.567 feet along the section line to a point at which the section line intersects the eastern right of way of proposed Parkview Drive alignment, thence northeasterly along a chord with a bearing of N12°22'24"E a distance of 155.636 feet to the true point of beginning at the intersection of the eastern section line right of way with the proposed Parkview Drive right of way. Thence S0°07'54.5"W, 957.876 feet to the intersection of the east section line right of way and Sidewinder Blvd right of way, thence S78°54'16"W, 4.39 feet, to the southwest corner of Lot 1 of South Gate Subdivision, thence northwesterly along a curve with a delta of 10°26'33.5", a radius of 1021.00 feet, and a length of 186.085 feet with a chord bearing of N19°15'29.3"W and a chord distance of 185.828 feet to the intersection of the western section line right of way and eastern Fifth Street right of way, thence N0°07'54.5"E, 553.742 feet to the intersection of the western section line right of way and proposed eastern Parkview Drive right of way, thence northeasterly along a curve with a delta of 7°34'43.2", a radius of 638.00 feet, and a length of 84.39 feet with a chord bearing of N23°10'06.9"E and a chord length of 84.328 feet to the point of beginning
PARCEL ACREAGE	Approximately 1.101 acres
LOCATION	East of 5th Street along Sidewinder Boulevard
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	Office Commercial District
South:	General Commercial District w/Planned Development Designation
East:	Office Commercial District
West:	General Agriculture District

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PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	06/11/2004
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

Staff recommends that the Vacation of Section Line Highway be approved with the following stipulations:

1. Prior to City Council approval, a 20 foot wide utility easement shall be recorded at the Register of Deed's Office; and,
2. Prior to City Council approval, written documentation from U S West Communications concurring with the proposed Vacation of Section Line Highway request shall be submitted.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Section Line Highway to vacate a portion of a section line highway located along the west lot line of the subject property. On July 6, 2004, the City Council will consider a Preliminary Plat to subdivide the subject property creating a 1.3377 acre commercial lot. The property is located along the east side of the Fifth Street right-of-way approximately 600 feet north of Catron Boulevard and is currently void of any structural development.

On March 3, 2003, the City Council approved a Layout Plat to subdivide approximately 40 acres into 23 commercial lots. The Layout Plat included the subject property.

STAFF REVIEW:

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

Utilities: To date, Montana Dakota Utilities Company, Midcontinent Communications and Black Hills FiberCom have submitted written documentation supporting the proposed Vacation of Section Line Highway request. However, Black Hills Power has indicated that an overhead electric line is currently located within the section line highway. As such, prior to City Council approval, a 20 foot wide utility easement must be recorded at the Register of Deed's Office. In addition, written documentation from U S West Communications concurring with the proposed Vacation of Section Line Highway request must be submitted.

Drainage: The construction plans submitted with the associated Preliminary Plat identify a storm sewer pipe to be located within the section line highway. As such, the plat document must be revised to provide a drainage easement as needed for the proposed storm sewer pipe prior to submittal of the Final Plat.

Staff is recommending that the Vacation of Section Line Highway be approved with the above referenced stipulations of approval.