

STAFF REPORT

June 9, 2005

No. 05VR007 - Vacation of Section Line Right-of-Way

ITEM 23

GENERAL INFORMATION:

PETITIONER	Centerline for 3 T's Land Development and Elton Eller
REQUEST	No. 05VR007 - Vacation of Section Line Right-of-Way
EXISTING LEGAL DESCRIPTION	NW1/4, Section 13, NE1/4, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.12 acres
LOCATION	At the eastern end of Middle Valley Drive and Minnesota Street
EXISTING ZONING	Low Density Residential District (Planned Residential Development) - General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)
South:	General Agriculture District
East:	General Agriculture District
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/18/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Vacation of Section Line Highway be approved.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Section Line Highway request to vacate a portion of the section line highway located between Sections 13 and 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.

On November 4, 2004, the Planning Commission recommended approval of a Preliminary Plat to subdivide an adjacent 21 acre parcel into 17 residential lots as a part of the Minnesota Ridge Heights Subdivision. The Preliminary Plat will be considered at the June 6, 2005 City Council meeting. A stipulation of the Preliminary Plat requires that the section line highway be constructed, vacated or a Variance to the Subdivision Regulations be obtained waiving the requirement to improve the section line highway.

The subject property is located at the western terminus of Minnesota Street and is currently

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void of any structural development.

STAFF REVIEW:

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

Utilities: All of the affected utility companies have submitted written documentation concurring with the vacation of Section Line Highway request. In addition, Black Hills Power has indicated that a miscellaneous document has been recorded at the Register of Deed's Office securing a utility easement for the existing overhead line located within the section line highway. As such, staff is recommending that the Vacation of Section Line Highway request be approved.

Major Street Plan: The City's Major Street Plan does not identify a street within the section line highway. In addition, topographic constraints within this area limit any future construction of a street. As such, staff is recommending that the Vacation of Section Line Highway request be approved.

Staff is recommending that the Vacation of Section Line Highway be approved as outlined above.