

STAFF REPORT
August 24, 2006

No. 06VR005 - Vacation of Section Line Highway

ITEM 29

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06VR005 - Vacation of Section Line Highway
EXISTING LEGAL DESCRIPTION	A Tract of land located in the NE1/4 NE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: Beginning at the northeast corner of Section 4; Thence along the north line of Section 4 S89°43'48"W a distance of 124.58 feet, to a found pin and cap marked "LS 6251", the true point of beginning; Thence 33 feet on each side of the north line of Section 4 S89°46'10"W a distance of 541.59 feet, to a found pin and cap marked "LS 5680". Said centerline of Section Line may be extended or foreshortened to terminate on Lot Line. Said are of right-of-way to be vacated containing an area of 0.82 acres more or less.
PARCEL ACREAGE	Approximately .82 acres
LOCATION	At the northwest corner of the intersection of Elk Vale Road and East Anamosa Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District - General Commercial District (Planned Commercial Development)
South:	General Commercial District
East:	General Commercial District
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	5/26/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Vacation of Section Line Highway be denied without prejudice at the applicant's request.

GENERAL COMMENTS: The applicant has submitted a request to vacate a portion of the section line highway located at the northwest corner of Elk Vale Road and East Anamosa Street. The property in question is zoned General Commercial. Land to the north and south

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is zoned General Commercial. The land to the west is zoned Light Industrial and the land to the east, across Elk Vale Road is zoned General Commercial.

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

Legal Description: Staff noted that a revised legal description is required for the proposed Vacation of Section Line Highway request. Staff is recommending that prior to Planning Commission approval, a revised legal description shall be submitted for review and approval.

The applicant has stated that they will not continue to seek the vacation of the section line highway at this time and would request that Planning Commission deny the application without prejudice.