

STAFF REPORT
August 9, 2007

No. 07VR009 - Vacation of Section Line Highway

ITEM 31

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07VR009 - Vacation of Section Line Highway
EXISTING LEGAL DESCRIPTION	The unplatted portion of the NE1/4 SE1/4, lying southeast of Elk Vale Road, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Word of Hope Subdivision, located in the NE1/4 SE1/4, lying southeast of Elk Vale Road, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .33 acres
LOCATION	West side of Jolly Lane at the north end between Jolly Lane cul-de-sac and curve in Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	Office Commercial District (Planned Commercial Development)
West:	Light Industrial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	7/18/2007
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

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

1. Prior to City Council approval, written documentation shall be received from all the affected utility companies concurring with the vacation of Section Line Highway request; and,
2. Prior to City Council approval, all necessary miscellaneous documents required to secure utility easements for the existing and proposed utilities shall be recorded at the Register of Deed's Office.

GENERAL COMMENTS: The applicant has submitted a Vacation of Section Line Highway

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request to vacate a portion of the section line highway located in the unplatted portion of the NE1/4 SE1/4, lying southeast of Elk Vale Road, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. The reason for the Vacation of Section Line Highway request is to develop a commercial lot along the eastern boundary.

The applicant has also submitted a Preliminary Plat (07PL029) to subdivide a 39.49 acre parcel into one 2.1 acre lot and leave the remaining 37.39 acres as an unplatted balance. The property is located west of Elk Vale Road at the northern terminus of Jolly Lane. The subject property is currently void of structural development.

STAFF REVIEW:

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

Petition to Vacate Public Right-of-Way: The applicant and adjacent property owners have submitted a petition to vacate a portion of section line highway that extends through the subject property to allow for the development of a commercial lot. The proposed lot and the adjacent property to the east have access from the south with the existing Jolly Lane right-of-way. In addition, a portion of the east half of the section line highway was previously vacated during the platting of Neff's Subdivision. The property to the north has access from the southern terminus of Timmons Boulevard.

Major Street Plan: The City's Major Street Plan does not identify a street within the section line highway.

Utilities: As of this writing the affected utility companies have not submitted written documentation concurring with the vacation of Section Line Highway request. In addition, an existing water main and sanitary sewer main are located within the section line highway. As such, staff recommends that prior to City Council approval, written documentation shall be received from all the affected utility companies concurring with the vacation of Section Line Highway request and all necessary miscellaneous documents required to secure utility easements for the existing and proposed utilities shall be recorded at the Register of Deed's Office.

Staff is recommending that the Vacation of Section Line Highway be approved with the previously stated stipulations.