

STAFF REPORT
August 23, 2007

No. 07VR010 - Vacation of a portion of Right-of-way

ITEM 28

GENERAL INFORMATION:

APPLICANT	Public Works Department for City of Rapid City
AGENT	AA No Agent
PROPERTY OWNER	Wilma Aubut, Theresa Pepper, Olive Reed, Christine Prairie Chicken, Edward & Mary Martinez, Amanda Huddelston, Michael & Roxie Powell, Julian & Seferina Davila, Timothy Toavs, John De Yoe & Larry Amburn, Myrna Pokorney, James & Mary Scull.
REQUEST	No. 07VR010 - Vacation of a portion of Right-of-way
EXISTING LEGAL DESCRIPTION	Lots 1 thru 46 of Millard Subdivision, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .09 Acres
LOCATION	Adjacent to 904 thru 1014 Lemmon Avenue and northeast of the intersection of Van Buren Street and Lemmon Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	Public
DATE OF APPLICATION	7/23/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Vacation of a portion of Right-of-way be approved.

GENERAL COMMENTS:

The applicant has submitted a request to vacate a portion of right-of-way along Lemmon Avenue. The property is located within the "900" block of Lemmon Avenue which lies south of College Avenue and north of Van Buren Street. The applicant is requesting to vacate a 422 feet by 11.5 feet portion of the right-of-way along the eastern boundary of Lemmon Avenue. The property is currently void of any structural development. Current zoning of the property is

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Medium Density Residential.

STAFF REVIEW:

Staff has reviewed the applicant's Vacation of right-of-way request and noted the following considerations.

UTILITIES:

The Vacation of right-of-way request requires the permission of all affected utility companies. All of the affected utility companies including Black Hills Power, Prairie Wave, Montana-Dakota Gas, Mid-Continent Communication, and Qwest have approved the applicant's request for vacation of right-of-way.

WATER AND SEWER:

Staff has noted that there are currently no water or sewer lines located within the portion of right-of-way along Lemmon Avenue that the applicant proposes to vacate.

RIGHT-OF WAY:

The Vacation of right-of-way request requires that all abutting property owners sign a vacation of public right-of-way petition. Staff has noted that all of the required signatures have been obtained and were submitted to the Growth Management Department in conjunction with the applicant's vacation of right-of-way request.

Lemmon Avenue is classified by the Street Design Criteria Manual as a subcollector street, which requires a minimum right-of-way of 52 feet with on street parking. The current right-of-way width of Lemmon Avenue is 82 feet. The Major Street Plan does not identify Lemmon Avenue as being a proposed collector or arterial street, nor is Lemmon Avenue scheduled for any type of expansion or widening. Staff has noted that adequate right-of-way exists along Lemmon Avenue, and that if the Vacation of right-of-way request is granted Lemmon Avenue will have a minimum width of 70.5 feet meeting the minimum 52 feet of right-of-way requirement. For this reason staff recommends that the request to vacate a 422 feet by 11.5 feet portion of right-of-way along the eastern boundary of Lemmon Avenue be approved.