

STAFF REPORT  
October 9, 2008

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**No. 08VE022- Vacation of a Portion of Non-Access Easement**

**ITEM 38**

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GENERAL INFORMATION:

APPLICANT/AGENT	Jason Hagen
PROPERTY OWNER	Nesland Construction
REQUEST	<b>No. 08VE022 - Vacation of a Portion of Non-Access Easement</b>
EXISTING LEGAL DESCRIPTION	Lot 20 of Block 8 of Meadows Subdivision, located in the SE1/4 NW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.24 acres
LOCATION	608 Field View Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	7/25/2008
REVIEWED BY	Jared Ball / Karley Halsted

RECOMMENDATION:

Staff recommends that the Vacation of Easement be continued to the **October 23, 2008** Planning Commission meeting.

**GENERAL COMMENTS: (Update: September 30, 2008. All revised and/or added text is shown in bold.) This item was continued at the September 25, 2008 Planning Commission meeting because the required revised site plan had not been submitted for review and approval. In addition, the required Exceptions had not been obtained. As of this writing, no additional information has been submitted. As such, staff recommends that this item be continued to the October 23, 2008 Planning Commission meeting to allow the applicant to address the outstanding issues.**

The property is located at the northeast corner of Elm Avenue and Field View Drive. The property is zoned Low Density Residential. The adjacent properties to the north, south, east, and west are zoned Low Density Residential. A single family dwelling is currently being constructed on the property. The applicant is proposing to vacate a portion of a Non-Access Easement along Field View Drive.

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STAFF REVIEW: Staff has reviewed the Vacation of a Portion of Non-Access Easement and has noted the following considerations:

Site Plan:

The site plan that was submitted for this project did not include the structures that are currently on the property. In order for staff to make a complete review of this request the applicant must submit a complete site plan that includes the location of structures currently on the property. In addition the applicant must show the exact portion of the Non-Access Easement that is proposed to be vacated. As such, staff recommends that the Vacation of a Portion of Non-Access Easement be continued to the **October 23, 2008** Planning Commission meeting.

Driveway Width: The Rapid City Street Design Criteria Manual Section 8.2.1A states that residential driveways shall be no more than 20 feet in width. Any residential driveway over 20 feet in width requires an Exception to the Rapid City Street Design Criteria Manual. The applicant is proposing to vacate a portion of a Non-Access easement along Field View Drive in order to build a driveway. Without a complete site plan, staff is unable to determine the exact width of the proposed driveway. As such staff recommends that the Vacation of Non-Access Easement be continued to the **October 23, 2008** Planning Commission meeting to allow the applicant to submit a complete site plan drawn to scale identifying the location and size of the proposed driveway for review and approval. If the driveway is greater than 20 feet wide the applicant must obtain an Exception to allow a driveway greater than twenty feet wide.

Curb Cut Width: The Rapid City Street Design Criteria Manual Section 8.2.1H states that the total width of all curb cuts for any ownership on a street shall not exceed fifty percent of the frontage of the ownership along the street. Any curb cut exceeding fifty percent of the frontage of the ownership along the street requires an Exception to the Rapid City Street Design Criteria Manual. Without a complete site plan staff is unable to determine the curb cut width of the proposed driveway. As such, staff recommends that the Vacation of Non-Access Easement be continued to the **October 23, 2008** Planning Commission meeting to allow the applicant to submit a complete site plan drawn to scale identifying the location and size of the proposed curb cut for review and approval. If the curb cut is more than 50 percent of the frontage of the ownership along the street the applicant must obtain an Exception to the Rapid City Street Design Criteria Manual.

Corner Clearance: The Rapid City Street Design Criteria Manual Section 8.2.3 states that at locations where the required corner clearance cannot be attained, a minimum corner clearance of fifty feet shall be maintained. Any corner clearance that is less than 50 feet requires an Exception to the Rapid City Street Design Criteria Manual. Without a complete site plan staff is unable to determine the corner clearance of the proposed driveway. As such, staff recommends that the Vacation of Non-Access Easement be continued to the **October 23, 2008** Planning Commission meeting to allow the applicant to submit a complete site plan drawn to scale identifying the location and size of the proposed driveway for review and approval. The applicant must obtain an Exception to the Rapid City Street Design Criteria Manual if the corner clearance is less than 50 feet.