

STAFF REPORT
December 18, 2008

No. 08VE029 - Vacation of a Sign Easement

ITEM 37

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Midland Rushmore, LLC
REQUEST	No. 08VE029 - Vacation of a Sign Easement
EXISTING LEGAL DESCRIPTION	Lot 4 of Block 3 of Rushmore Crossing, located in the SE1/4 of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.41 acres
LOCATION	South of I-90 and north of Eglin Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	11/14/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Vacation of a Sign Easement be denied without prejudice.

GENERAL COMMENTS:

The applicant has submitted a Vacation of a Sign Easement request to vacate a previously recorded sign easement located in the northern portion of the property. In addition, the applicant has submitted an Initial and Final Commercial Development Plan (File #08PD061) to allow for the construction of a 20,258 square foot commercial structure on the property.

The property is located south of Interstate 90 and north of Eglin Street. Currently, the property is void of any structural development.

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STAFF REVIEW:

Staff has reviewed the Vacation of Sign Easement request and has noted the following considerations:

Sign: The sign easement was originally recorded as a miscellaneous document in 2005. The easement specifically grants the use of the easement to "Atlantis LLC". Since the City has no interest in the easement, the City cannot vacate the document. As such, staff is recommending that the Vacation of Sign Easement be denied without prejudice.