

STAFF REPORT  
July 27, 2006

---

**No. 06VE018 - Vacation of a Note on a Plat**

**ITEM 28**

---

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 06VE018 - Vacation of a Note on a Plat</b>
EXISTING LEGAL DESCRIPTION	The North 318.90 feet of Lot 16 of the Replat of Block 31, Nowlin and Wood Addition, except therefrom Lots H1, H2 and H3, all located in the N1/2 NW1/4, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.25 acres
LOCATION	1125 North LaCrosse Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District
South:	Medium Density Residential District
East:	General Commercial District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/23/2006
REVIEWED BY	Karen Bulman / Bob Dominicak

RECOMMENDATION: Staff recommends that the Vacation of a Note on a Plat be approved.

GENERAL COMMENTS: The subject property is located at the southwest corner of East Anamosa Street and North LaCrosse Street. The property was originally platted in 1958. A note on the plat identifies a 46 foot setback along the east property line as it abuts North LaCrosse Street. On August 5, 2004 the Planning Commission approved a Planned Commercial Development – Initial Development Plan for the subject property. The applicant is requesting the removal of the note from the plat in order to develop the subject property. The property is currently being developed for a retail store and construction on the property is proceeding.

An application for a Vacation of a Note on a Plat (04VE023) for the subject property was approved by the City Council on January 17, 2005. However, the legal description was incorrectly stated as Section 31, T2N, R7E and should correctly have been Section 31, T2N, R8E. This application is to correct the legal description to be recorded at the Pennington County Register of Deeds.

STAFF REPORT  
July 27, 2006

---

**No. 06VE018 - Vacation of a Note on a Plat**

**ITEM 28**

---

STAFF REVIEW: Staff has reviewed the proposed vacation of note on the plat as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Setbacks: As previously indicated, the Planning Commission approved a Planned Commercial Development – Initial Development Plan for the subject property on August 5, 2004. The Initial Development Plan showed the property to be developed with a 13,650 square foot commercial retail building. The Zoning Regulations set forth in the Rapid City Municipal Code require a 25 foot building setback for the General Commercial Zoning District. The proposed development project meets those requirements. Staff feels the existing Zoning Regulations will provide sufficient protections for the property. As such, staff recommends approval of the Vacation of Note on Plat.