

STAFF REPORT
July 27, 2006

No. 06VE019 - Vacation of Non-access Easement

ITEM 74

GENERAL INFORMATION:

| | |
|-------------------------------|---|
| PETITIONER | Schlimgen Design Consultants, Inc. |
| REQUEST | No. 06VE019 - Vacation of Non-access Easement |
| EXISTING LEGAL DESCRIPTION | Lot 3 of Block 1, Rushmore Business Park, located in the S1/2 of the NE1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 1.9151 Acres |
| LOCATION | Adjacent to Homestead Street and west of Elk Vale Road |
| EXISTING ZONING | Light Industrial District |
| SURROUNDING ZONING | |
| North: | Light Industrial District |
| South: | Light Industrial District |
| East: | Light Industrial District |
| West: | Light Industrial District |
| PUBLIC UTILITIES | Rapid Valley Sanitary District |
| DATE OF APPLICATION | 6/30/2006 |
| REVIEWED BY | Karen Bulman / Mary Bosworth |

RECOMMENDATION:

Staff recommends that the Vacation of Non-access Easement be approved with the following stipulation:

1. Prior to Planning Commission approval, a revised Exhibit A stamped by a Registered Professional Engineer or Architect shall be submitted for review and approval.

GENERAL COMMENTS: The subject property is located along the northern boundary of Homestead Street and west of Turbine Drive. The property is currently void of development and is a large piece that will be platted in the future. The platted parcel of land located south of the subject property included the platting of Homestead Street. This plat identifies a non-access easement along both sides of Homestead Street. The applicant is requesting the removal of the non-access easement in order to develop the subject property with two driveway accesses.

STAFF REVIEW: Staff has reviewed the proposed vacation of non-access easement as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Access: Homestead Street and Turbine Drive are both classified as collector streets on the

STAFF REPORT
July 27, 2006

No. 06VE019 - Vacation of Non-access Easement

ITEM 74

City's Major Street Plan. The property owner proposes to develop the subject property and wishes to have two accesses to the commercial property from Homestead Street. Further development of the property east of the proposed area may not allow access from Turbine Drive. Two access points, not more than 28 feet in width, are allowed on a commercial lot.

Exhibit A: Exhibit A indicates two 28 foot wide areas along the north side of Homestead Street that are proposed to be vacated. A 28 foot wide proposed vacation of easement is located 121 feet west of Turbine Drive along Homestead Street, and a second 28 foot wide proposed vacation of easement is located approximately 33 feet east of the property line along Homestead Street. The balance of the area will remain as a non-access easement. The Exhibit A submitted had an incorrect legal description. The Exhibit A submitted with the application has an incorrect legal description. Prior to approval of the Vacation of non-access easement by the Planning Commission, a revised Exhibit A shall be submitted for review and approval.

Staff recommends that the Vacation of Non-access Easement be approved with the one stipulation.