

STAFF REPORT
April 26, 2007

No. 07VE006 - Vacation of Non-Access Easement

ITEM 39

GENERAL INFORMATION:

PETITIONER	DOECK, LLC
REQUEST	No. 07VE006 - Vacation of Non-Access Easement
EXISTING LEGAL DESCRIPTION	Lot 32 of Block 3 of Auburn Hills Subdivision, located in the SW1/4 of the NW1/4 of Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .261 acres
LOCATION	Southeast of the intersection of Charmwood Drive and Cobalt 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 and sewer
DATE OF APPLICATION	3/14/2007
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Vacation of Non-Access Easement be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit the required information.

GENERAL COMMENTS: The applicant is proposing to vacate a portion of the non-access easement to serve as access to the lot. The subject property is located southeast of the intersection of Charmwood Drive and Cobalt Drive. The property is currently vacant. A single family residence is proposed to be constructed on the site.

On June 16, 2003, City Council approved Final Plat (02PL037) with stipulations that included the subject property. The Final Plat identified a non-access easement along the north lot line of the subject property as it abuts Cobalt Drive.

On April 17, 2007, the Zoning Board of Adjustment denied a variance request to reduce the setback along Charmwood Drive from twenty-five feet to seventeen feet for the subject property.

STAFF REVIEW: Staff has reviewed this request for a Vacation of Non-Access Easement as it

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relates to the applicable provisions of the Rapid City Municipal Code and has noted the following considerations:

Site Plan: As previously stated, a variance request to reduce the setback on Charmwood Drive was denied by the Zoning Board of Appeals on April 17, 2007. As such, staff recommends that prior to Planning Commission approval, a revised site plan shall be submitted meeting the minimum requirements of the Rapid City Municipal Code.

Revised Exhibit "A": Staff noted that the Exhibit "A" submitted shows a portion of the non-access easement being vacated on this document. However, the Exhibit "A" indicates a 44 foot wide portion of the non-access easement being vacated. The Rapid City Street Design Criteria Manual requires that the width of a residential approach should not be more than 20 feet wide. As such, staff recommends that prior to Planning Commission approval, a revised Exhibit "A" shall be submitted for review and approval as identified.

Grading Plan: Staff noted that no grading plan was submitted for the proposed construction. Staff recommends that prior to Planning Commission approval, a grading plan be submitted for review and approval justifying the proposed vacation of the non-access easement.

Special Exception: Staff noted Cobalt Drive is classified as a subcollector street. In addition, Charmwood Drive, located along the east lot line of the subject property, is identified as a lane/place street. As such, staff is recommending that prior to Planning Commission approval, a Special Exception to the Street Design Criteria Manual to allow access from a street other than the lesser order street be submitted and approved for the subject property.