

STAFF REPORT
February 21, 2008

No. 08VE001 - Vacation of Non-Access Easement

ITEM 37

GENERAL INFORMATION:

APPLICANT/AGENT	C. Michael Homes, Inc.
PROPERTY OWNER	C. Michael Homes
REQUEST	No. 08VE001 - Vacation of Easement
EXISTING LEGAL DESCRIPTION	Lot 19 of Block 4 of Redrock Meadows Subdivision, locate in the NW1/4 of the NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.25 acres
LOCATION	South of the intersection of Cog Hill Lane and Sahalee 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	1/22/2008
REVIEWED BY	Jared Ball / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Public Works Committee approval, a miscellaneous document providing a Non-Access easement along the entire length of Sahalee Drive adjacent to the property shall be recorded at the Register of Deed's Office

GENERAL COMMENTS: The applicant is proposing to vacate a 35 foot portion of a Non-Access Easement on Cog Hill Lane and to create a 104 foot Non-Access Easement on Sahalee Drive. The applicant previously submitted an Exception Request to allow an approach from a higher order street. That Exception Request was approved on January 22, 2008.

The property is currently vacant but a single family residence is proposed for construction on the site. Additional single family home sites have been developed to the north south and west of the property. Directly across the street to the east is the neighborhood park that has

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been developed for the Red Rock Meadows development. On April 4, 2005 a Final Plat (05PL050) was approved for the property.

STAFF REVIEW: Staff has reviewed this request for a Vacation of Non-Access Easement as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following consideration:

Vacation of Non-Access Easement: Cog Hill Lane is classified as a collector street, and Sahalee Drive is classified as a local street. As previously noted, an exception has been granted to allow access off the higher order street. The applicant has submitted a drawing for a proposed single family residential dwelling showing a driveway approach from Cog Hill Lane in lieu of Sahalee Drive. The Final Plat identifies an 85 foot Non-Access Easement along lot line of the property as it abuts Cog Hill Lane and a 50 foot Non- Access Easement along the lot line of the property as it abuts Sahalee Drive. In reviewing the request to vacate the non-access easement, the staff noted that the existing driveway location aligns with the access drive into the parking lot serving the Red Rock Meadows neighborhood park. Requiring the driveway for the residence to remain at its current location would result in vehicles backing into the street directly across from the park driveway resulting in a potentially dangerous vehicle contact point. For this reason, staff recommends that the driveway be relocated and that the Vacation of Non-Access Easement be approved. Staff recommends that a miscellaneous document providing a non-access easement along Sahalee Drive adjacent to the property be recorded at the Pennington County Register of Deeds prior to Public Works Committee approval of the Vacation of Non-Access Easement.