

STAFF REPORT
June 7, 2012

No. 12VR005 - Vacation of Right-of-Way

ITEM 5

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	Technology Housing, LLC
REQUEST	No. 12VR005 - Vacation of Right-of-Way
EXISTING LEGAL DESCRIPTION	The alley right-of-way located in Block 3 of Denman's Addition located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.183 acres
LOCATION	South of East Saint Joseph Street and north of East Kansas City Street between Elm Avenue and Birch Avenue
EXISTING ZONING	High Density Residential District (Planned Residential Development)
FUTURE LAND USE DESIGNATION	Residential and Commercial
SURROUNDING ZONING	
North:	General Commercial District
South:	High Density Residential District
East:	Park Forest District
West:	High Density Residential District - General Commercial District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	5/11/2012
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Vacation of Right-of-Way be approved with the following stipulation:

1. Prior to City Council approval, the applicant shall dedicate a 20 foot wide utility and drainage easement in the vacated alley.

GENERAL COMMENTS: The applicant has submitted a Vacation of Right-of-Way request for the alley located adjacent to Lots 1-32 of the 300 Block of Denman's Subdivision between Elm Avenue and Birch Avenue.

The applicant previously submitted a Vacation of Right-of-Way request (File #12VR001) on

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February 24, 2012. Subsequently, on March 9, 2012, the applicant withdrew the application.

The alley is located south of East Saint Joseph Street between Elm Avenue and Birch Avenue.

STAFF REVIEW: Staff has reviewed the Vacation of Right-of-Way request and has noted the following considerations:

Utilities and Drainage: The utility companies have indicated that there are utilities located in the alley and that the applicant must negotiate the relocation of those utilities or dedicate a utility easement. In addition, a sewer gravity main is located in the alley. No access is proposed by the properties to the north or south of the proposed Vacation and all property owners have signed the Petition to Vacate the Right-of-Way. The applicant has indicated that the vacated alley will be graded with a swale/channel and provide positive drainage from west to east. As such, prior to City Council approval, the applicant must dedicate a 20 foot wide utility and drainage easement in the vacated alley.

Staff recommends that the Vacation of Right-of-Way be approved with the stipulation as identified above.