

STAFF REPORT

December 4, 2003

No. 03VE020 - Vacation of a Non-Access Easement

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 03VE020 - Vacation of a Non-Access Easement
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 10, Red Rock Estates, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.49 acres
LOCATION	the northeast corner of Prestwick Road and Muirfield Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	General Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	11/07/2003
REPORT BY	Todd Tucker

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Prior to Planning Commission approval, a revised exhibit shall be submitted showing the vacated portion of the non-access easement to be 85 feet from the southwest corner of the property, and;
2. A Special Exception is hereby granted to allow access from a street that is not the lesser order street as per the Street Design Criteria Manual.

GENERAL COMMENTS:

On May 6, 2003, the City Council approved a Final Plat to create a 73 residential lot development as a part of the Red Rock Estates Subdivision. The Final Plat included the subject property. In addition, the Final Plat identified a non-access easement along the south lot line of

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the subject property as it abuts Muirfield Drive. The applicant is now proposing to vacate 20 feet of the non-access easement to serve as access to the lot. The property is currently vacant but a single family residence is proposed for construction on the site.

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 issues:

Engineering:

The Engineering Division noted the dimension on the exhibit plat is 50 feet from the east property line. The exhibit must be revised to show it being 85 feet from the southwest corner of the property as per the Street Design Criteria Manual requirements.

Special Exception:

The Transportation Planning Department noted Muirfield Drive is classified as a collector street on the Major Street Plan. In addition, Prestwick Road, located along the west lot line of the subject property, is identified as a lane/place street. However, the Engineering Division has indicated that due to topographic constraints along Prestwick Road as it abuts the subject property, Muirfield Drive is the preferred point of access to the site. Additionally, the approach location on Muirfield Drive will provide better sight distance for vehicles entering and leaving the site. As such, staff is recommending that a Special Exception to the Street Design Criteria Manual be granted to allow access from a street other than the lesser order street.

Staff is recommending approval of the Vacation of a Non-Access Easement with the above stated stipulations.