

STAFF REPORT
July 8, 2004

No. 04VR002 - Vacation of Right-of-Way

ITEM 7

GENERAL INFORMATION:

PETITIONER	Alliance of Architects and Engineers for Rapid City Journal
REQUEST	No. 04VR002 - Vacation of Right-of-Way
EXISTING LEGAL DESCRIPTION	Lots 1 thru 32, Block 79, Original Townsite of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	507 Main Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	06/11/2004
REVIEWED BY	Todd Tucker / Curt Huus

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

1. Prior to City Council approval, the proposed vacated portion of the right-of-way shall be recorded at the Register of Deed's office as a utility easement with a note on a miscellaneous document that the City and utility companies retain the right to access the fenced utility easement;
2. A Knox Lock Box shall be installed in an accessible location as determined by the Fire Department;
3. Any future approach locations provided to the affected properties shall comply with all applicable provisions of the Street Design Criteria Manual; and,
4. Prior to City Council approval, written documentation from all of the affected utility companies shall be submitted indicating no objection to the vacation.

GENERAL COMMENTS: The subject property is an alley right-of-way located south of Rapid Street and north of Main Street between First Street and Second Street. The original right-of-way was platted in 1877 as part of the Baseline Original Townsite.

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The Rapid City Journal printing facility, Unique Signs and the Soccer King retail store are located adjacent to the alley right-of-way proposed to be vacated. The applicant is proposing to vacate approximately 400 linear feet of alley right-of-way.

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

Utilities: The applicant's site plan shows numerous public utilities located within the right-of-way including a sanitary sewer main. Staff noted that the area proposed for vacation would need to be retained as a utility easement. Prior to City Council approval, the proposed vacated portion of the right-of-way must be recorded at the Register of Deed's office as a utility easement with a note on a miscellaneous document that the City and utility companies retain the right to access the fenced utility easement.

Fire Safety: Staff indicated that a "Knox Box" should be provided at the gate to allow access to Fire Department apparatus. Application for this appliance can be obtained from the Rapid City Department of Fire and Emergency Services. This appliance must be installed in an accessible location as determined by the Fire Department. Staff recommends that the applicant submit the necessary application to the Rapid City Department of Fire and Emergency Services for the Knox Box.

Traffic Operations: The existing alley right-of-way provides legal access to the adjacent properties. If the alley right-of-way is vacated, the adjacent properties will still have legal access via Rapid Street, Main Street, First Street and Second Street. However, any future approach locations provided to the affected properties must comply with all applicable provisions of the Street Design Criteria Manual.

Staff recommends the Vacation of Right-of-Way request be approved with the previously stated stipulations.