

STAFF REPORT
May 22, 2014

No. 14VR002 - Vacation of Right-of-Way

ITEM 3

GENERAL INFORMATION:

APPLICANT	VSADD Holdings LLC
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	City of Rapid City
REQUEST	No. 14VR002 - Vacation of Right-of-Way
EXISTING LEGAL DESCRIPTION	The north 30 feet adjacent to Lot 5 of Block 2 of Rapid River Subdivision, located in Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.49 acres
LOCATION	2020 Jackson Boulevard
EXISTING ZONING	
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Park Forest District
South:	General Commercial District
East:	General Commercial District - General Commercial (Planned Development)
West:	Low Density Residential District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	April 22, 2014
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

Staff recommends that the Vacation of Right-of-Way be approved.

GENERAL COMMENTS: The applicant has submitted a request to vacate a portion of an existing alley right-of-way. The property is comprised of approximately 0.49 acres of land located adjacent to the north of the applicant's property. The applicant has indicated that the land will be used to provide additional parking on the site. Property located north of the alley right-of-way is owned by the City. On April 21, 2014, the City Council authorized the Mayor and Finance Officer to sign a Vacation of Right-of-Way application and petition to vacate an approximately 30 foot wide by 225 foot long portion of the alley right-of-way located between the two properties.

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The alley right-of-way is located adjacent to the north of property located at 2020 Jackson Boulevard. Currently, the property serves as a regional drainage channel.

STAFF REVIEW: Staff has reviewed the requested Vacation of Right-of-Way pursuant to the requirements of the Rapid City Municipal Code and has noted the following considerations:

Public Works Comments: Public Works staff has noted that the area of the requested Vacation is located in an area currently being used as drainage. Public Works staff could not support the requested vacation without ensuring that the drainage is secured through an easement. The applicant has submitted an exhibit for the dedication and recording of the easement. The easement will be submitted for recording after the Vacation of Right-of-Way resolution has been filed. Public Works staff has noted no additional concerns with the requested Vacation.

Rapid City Fire Department: The Rapid City Fire Department has not noted any significant impacts of the proposed Vacation request.

Utility Concurrence: All affected utility companies have reviewed the requested Vacation of Right-of-Way and indicated that they do not have facilities within the alleyway and concur with the Vacation of Right-of-Way request.

Summary: The requested Vacation of right-of-way is for a portion of alley right-of-way located adjacent to the applicant's property. The applicant has indicated their intent to develop the property as additional parking for the offices located on their property. Property to the north of the alley is owned by the City. The Mayor and Finance Officer have signed the Vacation of Right-of-Way application. All affected utilities have indicated their concurrence with the request. The Public Works Department has requested that an easement be dedicated for the existing drainage facilities located within the right-of-way. The applicant has submitted the easement for recording at the Register of Deeds office. For these reasons, staff recommends that the requested Vacation of Right-of-Way be approved.