

STAFF REPORT
January 5, 2012

No. 11VR008 - Vacation of Right-of-Way

ITEM 16

GENERAL INFORMATION:

APPLICANT	Destination Rapid City
AGENT	Brad Burns for Chamberlin Architects
PROPERTY OWNER	City of Rapid City
REQUEST	No. 11VR008 - Vacation of Right-of-Way
EXISTING LEGAL DESCRIPTION	The alley right-of-way adjacent to Lots 10-23 of Block 75 of the Original Townsite of the City of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .08 Acres
LOCATION	South of Rapid Street and north of Main Street
EXISTING ZONING	Central Business District - General Commercial District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	Central Business District
East:	Central Business District - General Commercial District
West:	Central Business District - General Commercial District
PUBLIC UTILITIES	City/City
DATE OF APPLICATION	11/15/2011
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

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

GENERAL COMMENTS: The applicant has submitted a Vacation of Right-of-Way request to vacate the western portion of the right-of-way in the alley between Fifth Street and Sixth Street in downtown Rapid City. The entire alley is between 16 and 20 feet wide by approximately 400 feet long. A request to vacate a two foot wide by 225 long section of the eastern portion of the alley was approved by the City Council on December 6, 2010 (File #10VR008). A request to vacate an additional 2 foot wide by 225 foot long section of the eastern portion of the alley was approved by the City Council on August 1, 2011 (File #11VR002). The balance of the eastern portion of the alleyway was vacated on November 7, 2011 (File #11VR007). This request is to vacate the balance of the alley right-of-way, generally described as the western portion of the alley.

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The applicant has indicated this alley is being vacated to be utilized as a part of the Main Street Square project.

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

Utilities: Affected utility companies have requested that a utility easement for the alleyway be retained. City sewer services are also located in the alleyway. The applicant has secured a permanent utility easement for the vacated alleyway, and entered into an agreement which holds private and public utilities harmless for any damages due to the construction or maintenance of utilities within this area.

Access to Adjacent Properties: Recent redesigns of the parking garage to the north of the alley have relocated access onto Fifth Street and Sixth Street. The businesses located adjacent to the south of the alley take their access off of Main Street. The requested Vacation will not eliminate access to any adjacent properties.

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