

STAFF REPORT
October 24, 2013

No. 13VR002 - Vacation of Right of Way

ITEM 4

GENERAL INFORMATION:

APPLICANT	Rapid City Area School District
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Rapid City Independent School District, Joshua D. Holdinghausen, Harrington Rental LLC
REQUEST	No. 13VR002 - Vacation of Right of Way
EXISTING LEGAL DESCRIPTION	The alley located adjacent to Lots 23 thru 26 and the west 10 feet of Lot 27 of Block 125 and Lots 7 thru 10 and the west 10 feet of Lot 6 of Block 125 of the Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.051 acres
LOCATION	516 South Street
EXISTING ZONING	Public District - High Density Residential District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Public District
South:	Public District - High Density Residential District
East:	Public District
West:	Public District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	September 24, 2013
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 application to vacate a portion of the alley right-of-way located north of South Street and south of Columbus Street, between Fifth Street and Sixth Street. The portion of alley right-of-way is comprised of approximately 0.051 acres of property adjacent to property zoned High Density Residential District and Public District. The portion of alley requested for vacation is

STAFF REPORT
October 24, 2013

No. 13VR002 - Vacation of Right of Way

ITEM 4

approximately 110.01 feet long by 20 feet wide. An 85 foot long by 20 foot wide utility easement will remain in the alleyway. The applicant has submitted an associated request to rezone an adjacent property from High Density Residential District to Public District (File #13RZ024). The applicant has also submitted a Comprehensive Plan Amendment to change the Future Land Use designation on portions of the adjacent property from Commercial to Public (File #13CA013). In addition, the applicant has submitted a Lot Line Adjustment/Consolidation Plat application to move a lot line adjacent to the existing alley right-of-way and to consolidate all lots and vacated right-of-ways on the Rapid City High School property into one lot (File #13PL107). The applicant has indicated they will be improving the access and circulation as part of the continuing redevelopment of the Rapid City High School located to the west of the alley.

STAFF REVIEW: Staff has reviewed the request to vacate the right-of-way and has noted the following considerations:

Public Works: Public Works staff has noted that sanitary sewer services to the residential property located on the south side of the alley right-of-way may be located within the alley. As such, the applicant should be aware that as a part of the associated Lot Line Adjustment/Consolidation Plat application, a public utility easement will be required to be dedicated across the north side of Lots 25, 26, and the west 10 feet of Lot 27. However, the dedication of the easement is not required as a part of this Vacation of right-of-way request. It should be noted that the applicant has submitted a copy of the proposed easement to the Public Works Department for review. The Vacation of Right-of-Way Exhibit shows that an 85 foot long by 20 foot wide utility easement will remain in the vacated alley as a part of this request.

Transportation Planning: Transportation Planning staff has noted that the proposed Vacation of Right-of-Way should not have an impact on the area transportation network.

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

Utility Concurrence: All affected utility companies have reviewed the requested Vacation of Right-of-Way and indicated either that they do not have facilities within the alleyway or concur with the proposed Vacation of Right-of-Way so long as a utility easement is retained within the alley.

Summary: The requested Vacation of Right-of-Way is for a portion of alley right-of-way which serves as access to the south side of the Rapid City High School property. The High School is proposing to improve the access and circulation on their property and have requested a portion of the alley right-of-way be vacated as a part of these improvements. The Public Works Department, Transportation Planning, and all affected utilities have indicated concurrence with the requested Vacation of Right-of-Way. A utility easement will remain in place for portions of the alley which may include utilities. For these reasons, staff recommends that the requested Vacation of right-of-way request be approved.