

STAFF REPORT
November 6, 2014

No. 14VR004 - Vacation of Right of Way

ITEM 4

GENERAL INFORMATION:

APPLICANT	Norman Hansen
AGENT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Norman Hansen
REQUEST	No. 14VR004 - Vacation of Right of Way
EXISTING LEGAL DESCRIPTION	Lots 1 and 2 of Block 90 of Original Town of Rapid City, located in the NE1/4 of Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.16 acres
LOCATION	3 Main Street
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Downtown
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	October 10, 2014
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

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

1. Prior to City Council approval, a public utility easement shall be submitted for recording; and,
2. Prior to City Council approval, a temporary construction easement shall be submitted for recording.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Right-of-Way request to vacate a portion of East Boulevard approximately 7,000 square feet in size located on the southwest corner of the intersection of East Boulevard and Main Street.

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The proposed Vacation of Right-of-Way is located on the west side of East Boulevard and is approximately 7,000 square feet in size. Currently, the right-of-way is developed as a parking lot and is used by the adjacent commercial property.

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

Public Works Comments: Public Works staff has indicated that a public water main is located in the area of the proposed right-of-way vacation request. As such, prior to City Council approval, a public easement must be submitted for recording for the entire area to be vacated. In addition, there are plans for the reconstruction of East Boulevard and East North Street with an anticipated construction schedule of 2018 to 2019. As such, prior to City Council approval, a temporary construction easement must be submitted for recording.

Transportation Planning Comments: Transportation Planning staff has noted that East Boulevard is identified as a Principal Arterial Street on the City's Major Street Plan and requires a minimum of 100 feet of right-of-way. The proposed Vacation maintains approximately 111 feet of right-of-way width for East Boulevard. The proposed Vacation does not conflict with the City's Major Street Plan.

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 existing rights-of-way and concur with the Vacation request.

Summary: The requested Vacation of right-of-way is for a portion of East Boulevard right-of-way located on the southwest corner of the intersection of East Boulevard and Main Street. All utility companies have indicated their concurrence with the requested Vacation. For these reasons, staff recommends that the requested Vacation of right-of-way be approved with stipulations.