



Rapid City Planning Commission

Vacation of Right-of-Way Project Report

January 9, 2020

Item #7
Applicant Request(s)
Case #19VR005 – Vacation of Right-of-Way
Companion Case(s) #: 19VE014 – Vacation of Utility and Minor Drainage Easement and Non-Access Easement on adjacent property

Development Review Team Recommendation(s)
Staff recommends approval of the Vacation of Right-of-Way.

Project Summary Brief
The applicant has submitted a Vacation of Right-of-Way application for a portion of East North Street right-of-way located east of the intersection of East North Street and Camden Drive. East North Street is identified as a Principal Arterial Street in the City's Major Street Plan requiring a minimum right-of-way width of 100 feet. The proposed Vacation of Right-of-Way will maintain an approximate 300-foot wide right-of-way.

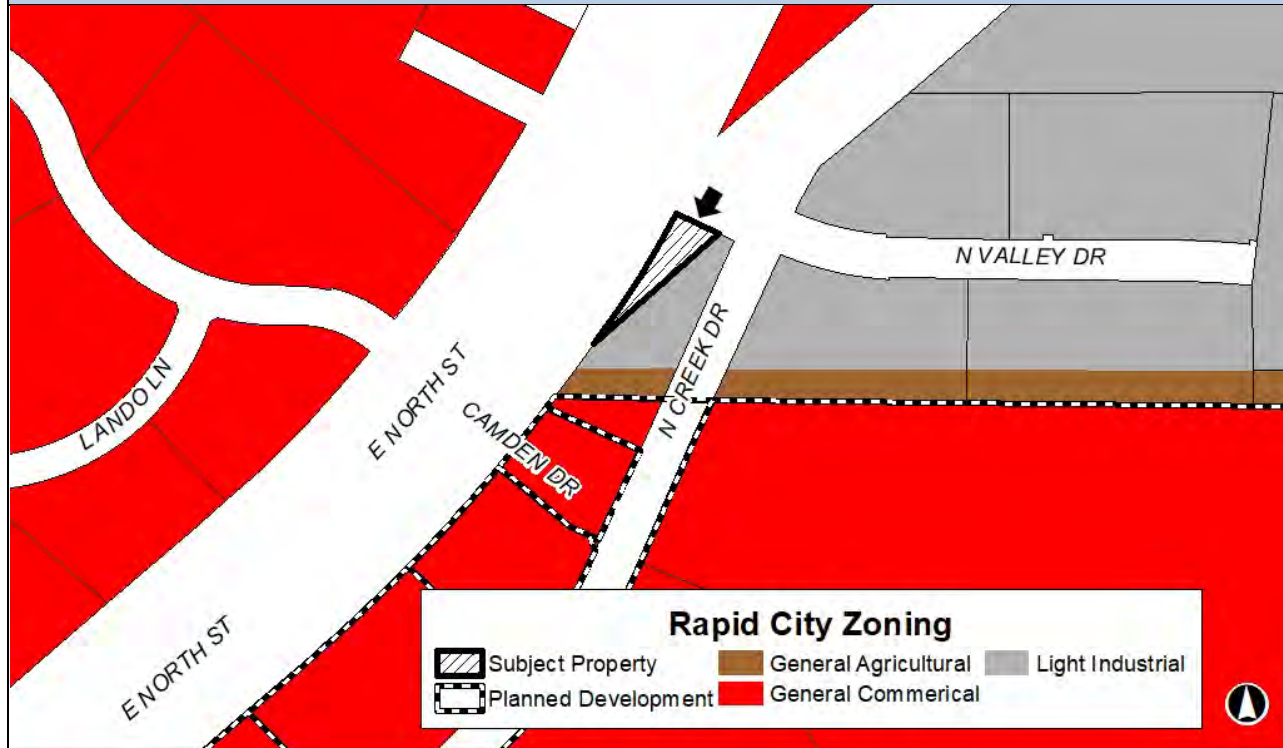
Applicant Information	Development Review Team Contacts
Applicant: Menard, Inc.	Planner: Fletcher Lacock
Property Owner: N/A	Engineer: Todd Peckosh
Architect: N/A	Fire District: Tim Behlings
Engineer: FMG Engineering	School District: N/A
Surveyor: FMG Engineering	Water/Sewer: Todd Peckosh
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Located approximately 275 feet northeast of the intersection of East North street and Camden Drive
Neighborhood	Elk Vale Road Neighborhood Area
Subdivision	Menard Subdivision
Land Area	0.23 acres
Existing Buildings	No structural development
Topography	Drops in elevation from south to north approximately 10 feet
Access	N/A
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A
Other	N/A

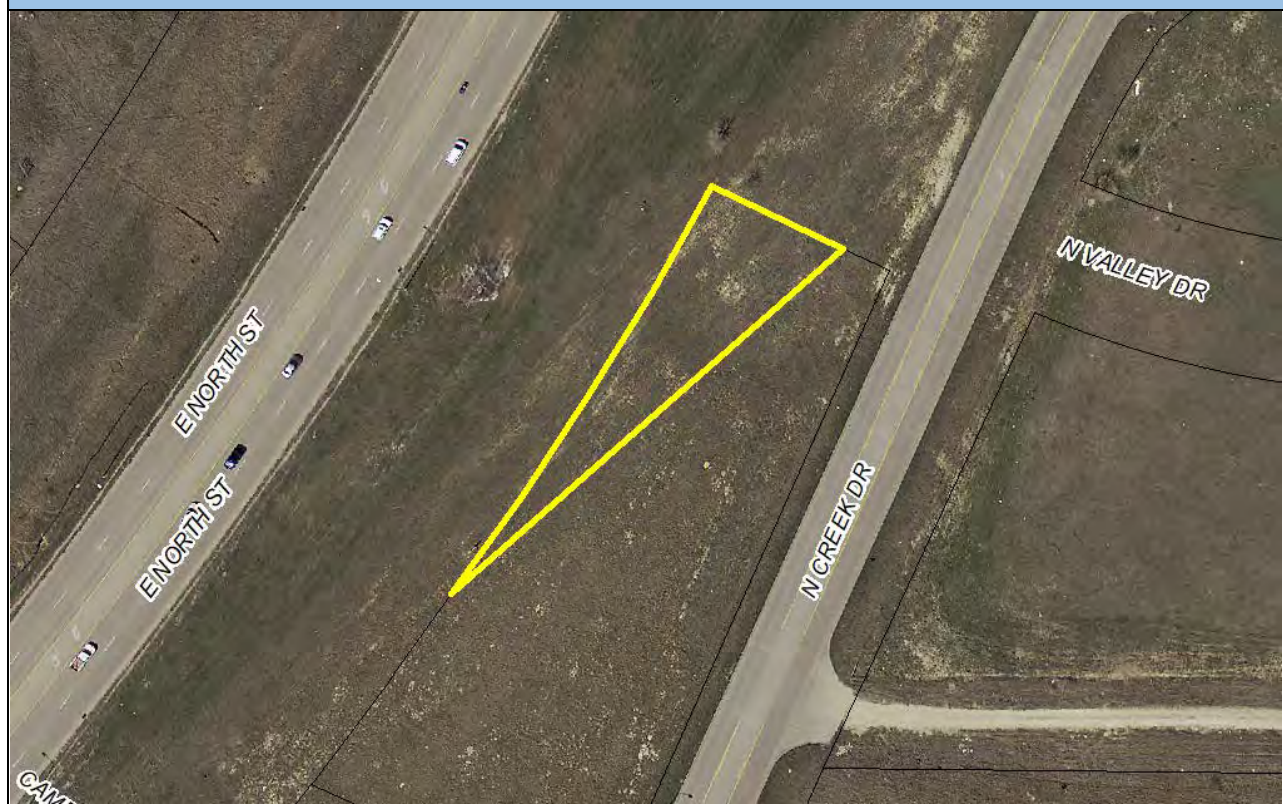
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	N/A	LI	East North Street right-of-way
Adjacent North	GC	LI	Void of structural development
Adjacent South	LI	LI	Bank
Adjacent East	LI	LI	Void of structural development
Adjacent West	GC	MUC	Tire sales

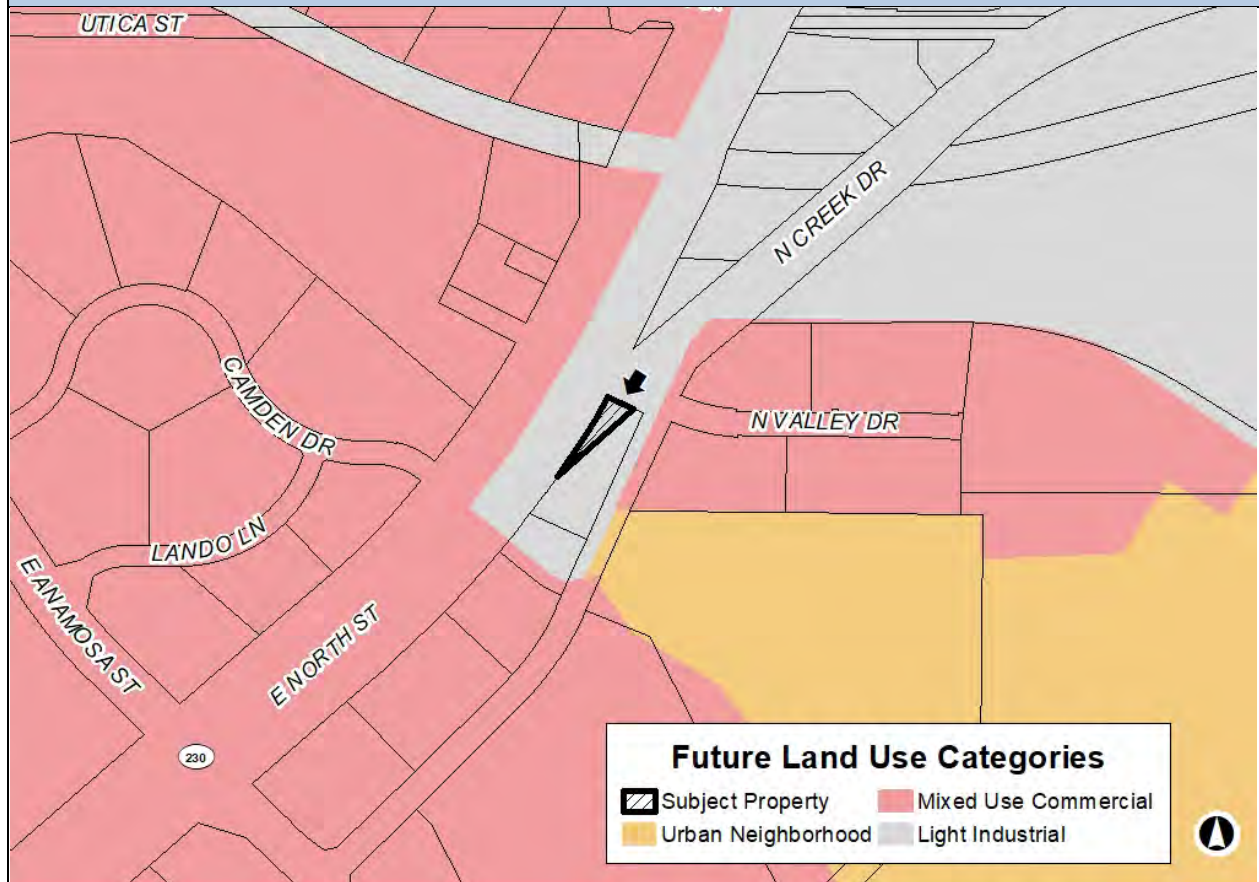
Zoning Map



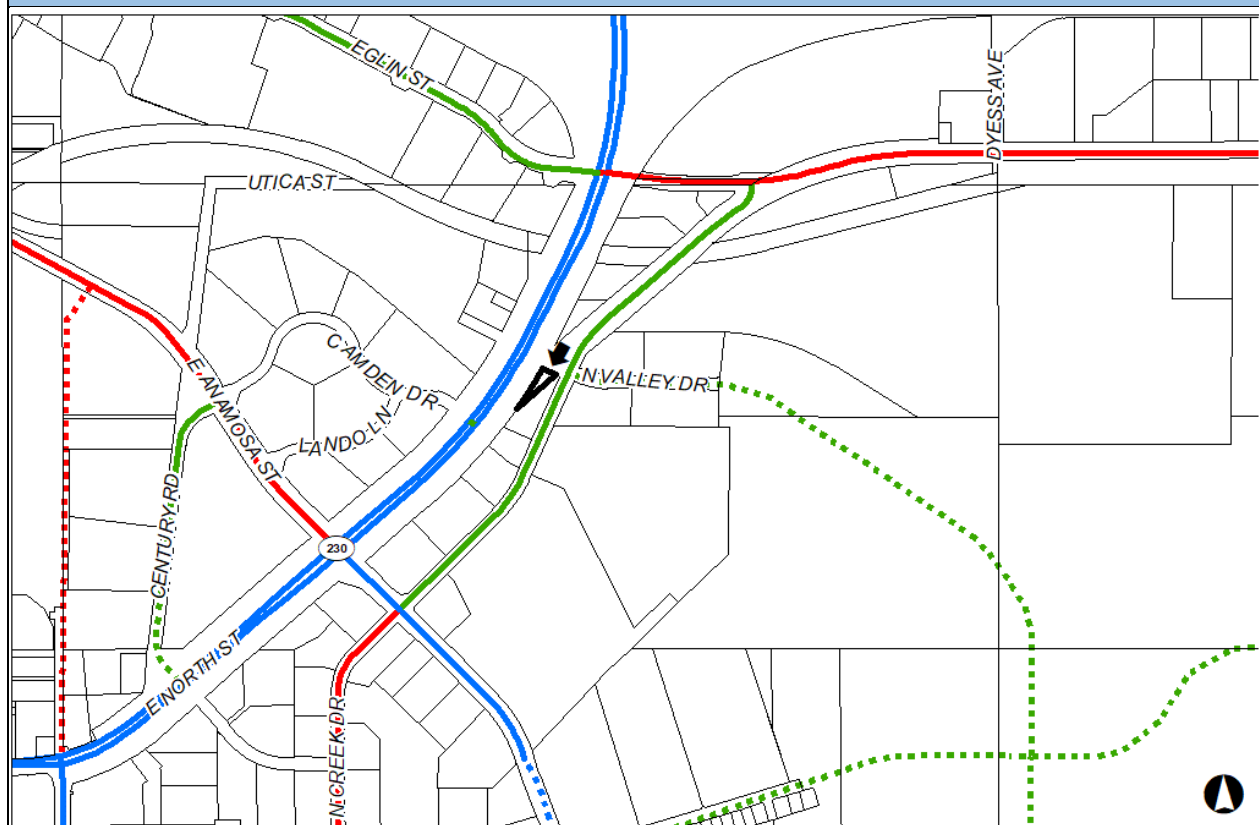
Existing Land Uses



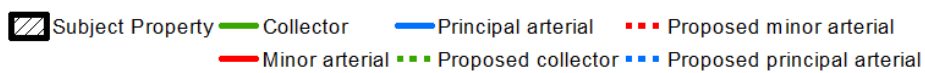
Comprehensive Plan Future Land Use



Parks or Transportation Plan










Major Street Plan



Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Light Industrial District	Required	Proposed	
Lot Area	20,000 square feet	0.23 acres	
Lot Frontage	Not required	N/A	
Maximum Building Heights	4 stories or 45 feet	N/A	
Maximum Density	75%	N/A	
Minimum Building Setback:			
• Front	25 feet	N/A	
• Rear	25 feet	N/A	
• Side	25 feet	N/A	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	N/A	
• # of ADA spaces	N/A	N/A	
Signage	N/A	N/A	
Fencing	N/A	N/A	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 16.08.120.E of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to Vacate right-of-way:	
Criteria	Findings
1. The vacation serves the interest of the City by removing maintenance or liability risks.	East North Street is identified as a Principal Arterial Street on the City's Major Street Plan requiring a minimum of 100 feet of right-of-way. The proposed Vacation will maintain a right-of-way width of approximately 300 feet.
2. The property interest being vacated is no longer necessary for City operations.	Public Works staff has indicated concurrence with the proposed request.
3. The land to be vacated is no longer necessary for the public use and convenience.	As noted above, the remaining right-of-way width will exceed the minimum required for a Principal Arterial Street.
4. The vacation will not create any landlocked properties.	The adjacent property located to the east is accessed from North Creek Drive. The proposed Vacation of Right-of-Way will not create any landlocked properties.
5. The vacation will not render access to any parcel unreasonable.	As noted above, access to the adjacent property will not be affected by the proposed Vacation.
6. The vacation will not reduce the quality of public services to any parcel of land.	The applicant has demonstrated that the proposed Vacation of Right-of-Way will not impact an adjacent water main which will remain located in East North Street right-of-way.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:

Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
	N/A
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: East North Street is identified as a Principal Arterial Street on the City’s Major Street Plan requiring a minimum right-of-way width of 100 feet. The proposed Vacation of Right-of-Way will maintain an approximate 300-foot wide right-of-way.
	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The requested Vacation of Right-of-Way application is before the Planning Commission for review and approval and will go before the City Council for review and approval. The public has an opportunity to provide input at these meetings.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Light Industrial
	Design Standards:
N/A	The subject property is located on the western edge of an industrial corridor which abuts U.S. Interstate 90.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Elk Vale Road Neighborhood Area
	Neighborhood Goal/Policy:
N/A	The subject property is located on the eastern periphery of the Rushmore Crossing Regional Activity Center.

Findings

Staff has reviewed the Vacation of Right-of-Way request pursuant to Chapter 16.08.120.E of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The proposed Vacation maintains more than the minimum required right-of-way width needed for an arterial street.

Planning Commission Recommendation and Stipulations of Approval

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