



Rapid City Planning Commission

Vacation of Right-of-Way Project Report

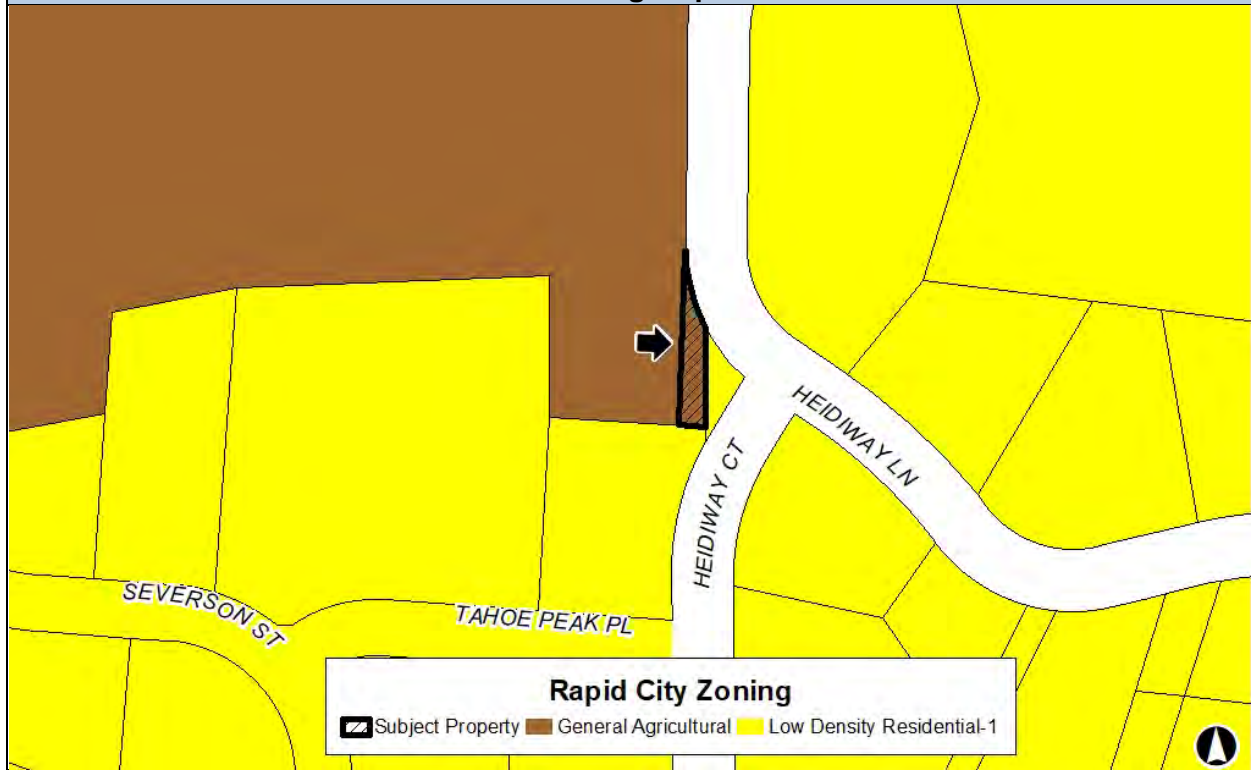
February 6, 2020

Item #5	
Applicant Request(s)	
Case #20VR001 – Vacation of Section Line Highway	
Companion Case(s) N/A	
Development Review Team Recommendation(s)	
The Development Review Team recommends approval of the Vacation of Section Line Highway Right-of-Way.	
Project Summary Brief	
<p>The applicant has submitted an application to vacate a portion of the section line highway right-of-way adjacent to Heidiway Lane. The proposed portion of section line highway right-of-way to be vacated is located west of the intersection of Heidiway Lane and Heidiway Court and is intended to increase the buildable footprint for a future single-family residence on the proposed lot. City staff has indicated that the proposed vacation of section line highway right-of-way will not adversely impact access to the proposed lot or the quality of public services to the surrounding neighborhood.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Keiz Larson	Planner: John Green
Property Owner: Nancy Dunham	Engineer: Todd Peckosh
Architect: N/A	Fire District: Tim Behlings
Engineer: Fisk Land Surveying	School District: N/A
Surveyor: Fisk Land Surveying	Water/Sewer: Todd Peckosh
Other: N/A	DOT: Stacy Bartlett
Subject Property Information	
Address/Location	Intersection of Heidiway Court and Heidiway Lane
Neighborhood	Sheridan Lake Road Neighborhood Area
Subdivision	Proposed Dunham Estates Subdivision
Land Area	0.70 acres or 30,492 square feet
Existing Buildings	Void of Structural development
Topography	Rises in elevation from east to west approximately 28 feet
Access	Heidiway Lane
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A
Other	N/A

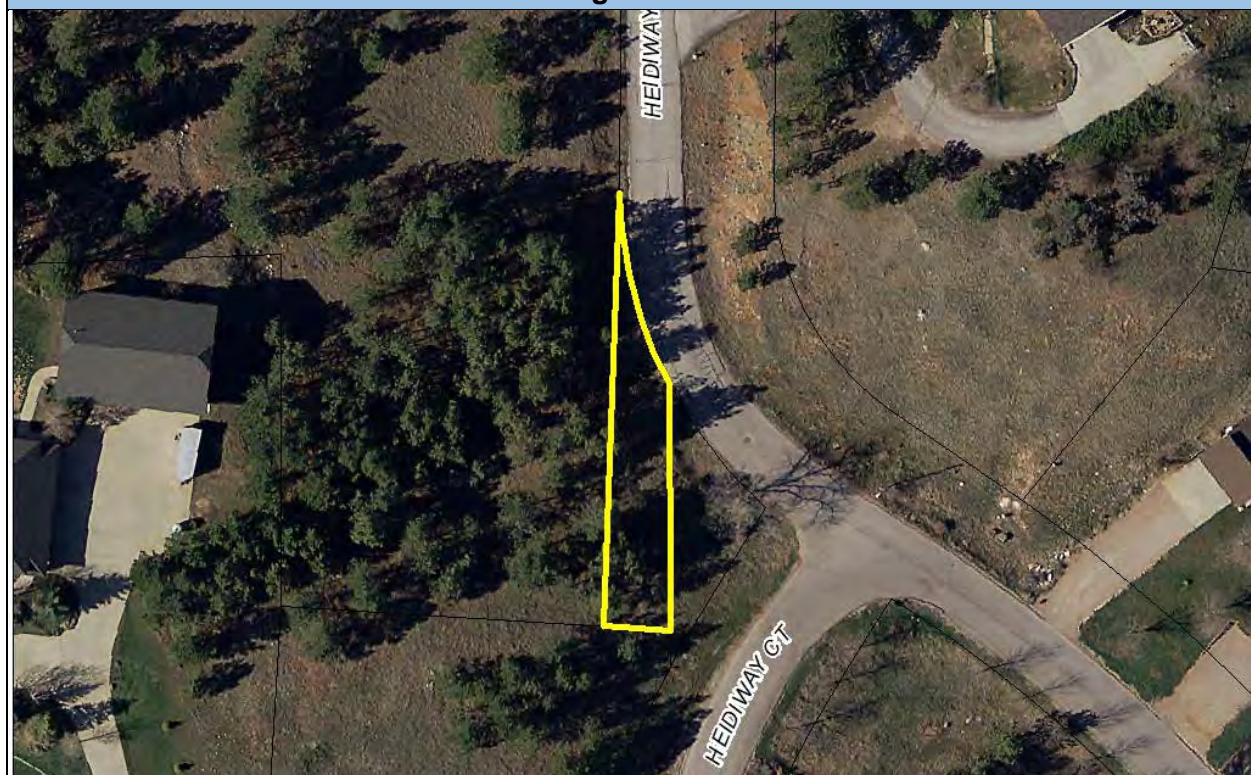
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GA	LDN	Vacant
Adjacent North	GA	LDN	Vacant
Adjacent South	LDR	LDN	Single-family Residence
Adjacent East	LDR	LDN	Single-family Residence
Adjacent West	LDR	LDN	Single-family Residence

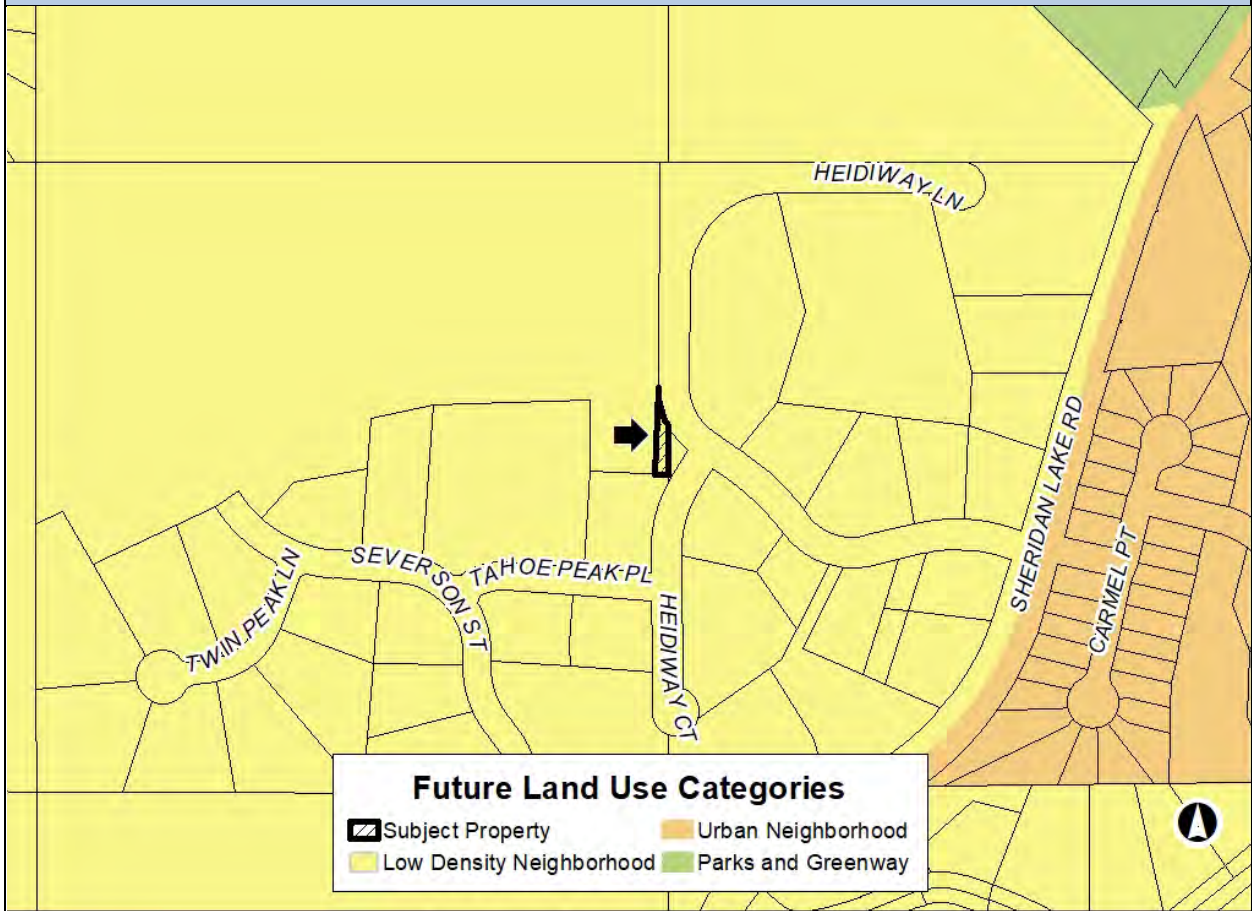
Zoning Map



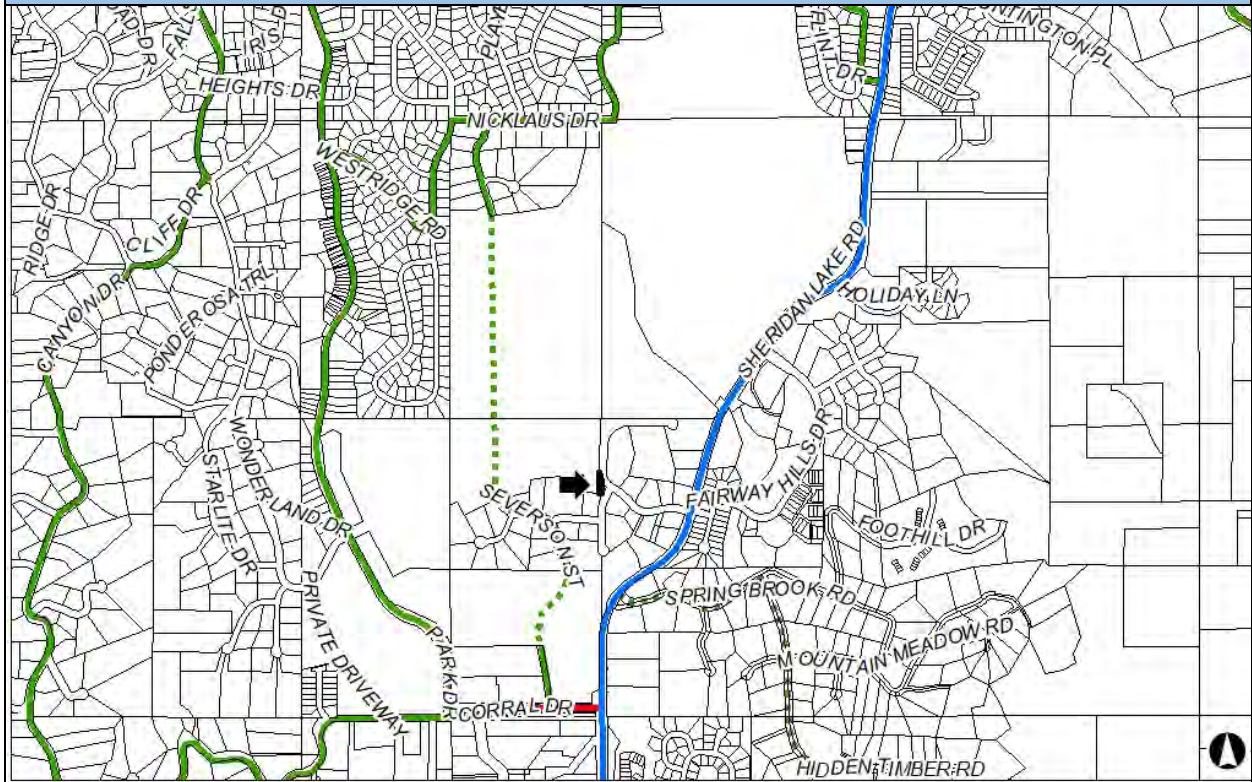
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
19PL089	10/10/19	Preliminary Subdivision Plan	PC approved 11/7/19 CC approved 11/18/19
19RZ043	11/27/19	Rezone from General Agricultural District to Low Density Residential District	PC approved 1/9/20 Pending City Council approval
Relevant Zoning District Regulations			
Low Density Residential	Required	Proposed	
Lot Area	N/A	N/A	
Lot Frontage	N/A	N/A	
Maximum Building Heights	N/A	N/A	
Maximum Density	N/A	N/A	
Minimum Building Setback:			
• Front	N/A	N/A	
• Rear	N/A	N/A	
• Side	N/A	N/A	
• Street Side	N/A	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.	The applicant is proposing to vacate a 33-foot wide portion of section line highway right-of-way on adjacent to Heidiway Court. The proposed vacation will increase the buildable footprint for the proposed single-family residence on the lot and does not appear to cause any adverse impacts to the adjacent property owners. All utility companies within the immediate vicinity of the proposed vacation have concurred that there are no utilities in the area that will be impacted by the proposed vacation.
2. The property interest being vacated is no longer necessary for City operations.	Both Heidiway Lane and Heidiway Court are located within the 66-foot section line highway right-of-way to the north and south of the proposed area of vacation. Public Works staff has indicated that the Section Line right-of-way is no longer necessary for City operations.
3. The land to be vacated is no longer necessary for the public use and convenience.	The proposed vacation does not appear to cause any access or convenience issues. The property can retain access from Heidiway Lane, which is adjacent to the Section Line Highway.
4. The vacation will not create any landlocked properties.	The proposed Vacation of Right-of-Way will not create any landlocked properties.
5. The vacation will not render access to any parcel unreasonable.	The proposed Vacation of Right-of-Way will not render access to any parcel unreasonable. The subject property and adjacent properties are all accessed via Heidiway Lane or Heidiway Court.

6. The vacation will not reduce the quality of public services to any parcel of land.	The proposed vacation of Section Line Highway will not impact the adjacent City right-of-way and does not appear to impact the quality of public services to the subject property or surrounding neighborhood.
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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: The vacation of the section line highway right-of-way will not impact the access or availability of services to the subject property or surrounding neighborhood due to sufficient right-of-way being maintained in both Heidiway Lane and Heidiway Court.
	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 section line highway 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. Notice of this request is also posted in the local newspaper pursuant to requirements set forth by the Rapid City Municipal Code. All adjacent property owners have signed the Vacation petition.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter

Future Land Use Plan Designation(s):	Low Density Neighborhood
	Design Standards:
N/A	The proposed vacation of section line highway right-of-way will not adversely impact access or quality of public services for the subject property or surrounding neighborhood due to sufficient right-of-way being maintained in both Heidiway Lane and Heidiway Court.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Sheridan Lake Road Neighborhood Area
Neighborhood Goal/Policy:	
N/A	The subject property is accessed via Heidiway Lane and the proposed vacation of section line highway right-of-way will not restrict access to the lot.
Findings	
Staff has reviewed the Vacation of Section Line Highway 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 applicant is proposing to vacate a 33-foot wide portion of the section line highway right-of-way adjacent to the intersection of Heidiway Lane and Heidiway Court. Public Works staff has indicated that the proposed vacation will not adversely impact access to the lot or reduce the quality of public services in the surrounding neighborhood. Additionally, all impacted utility companies have indicated their concurrence with the request. As such, staff recommends approval of the vacation request.	
Planning Commission Recommendation and Stipulations of Approval	
Staff recommends approval of the Vacation of Section Line Highway Right-of-Way.	