



Rapid City Planning Commission

Vacation of Right-of-Way Project Report

February 20, 2020

Item #4
Applicant Request(s)
Case #20VR002 – Vacation of Right-of-Way
Companion Case(s) # N/A

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

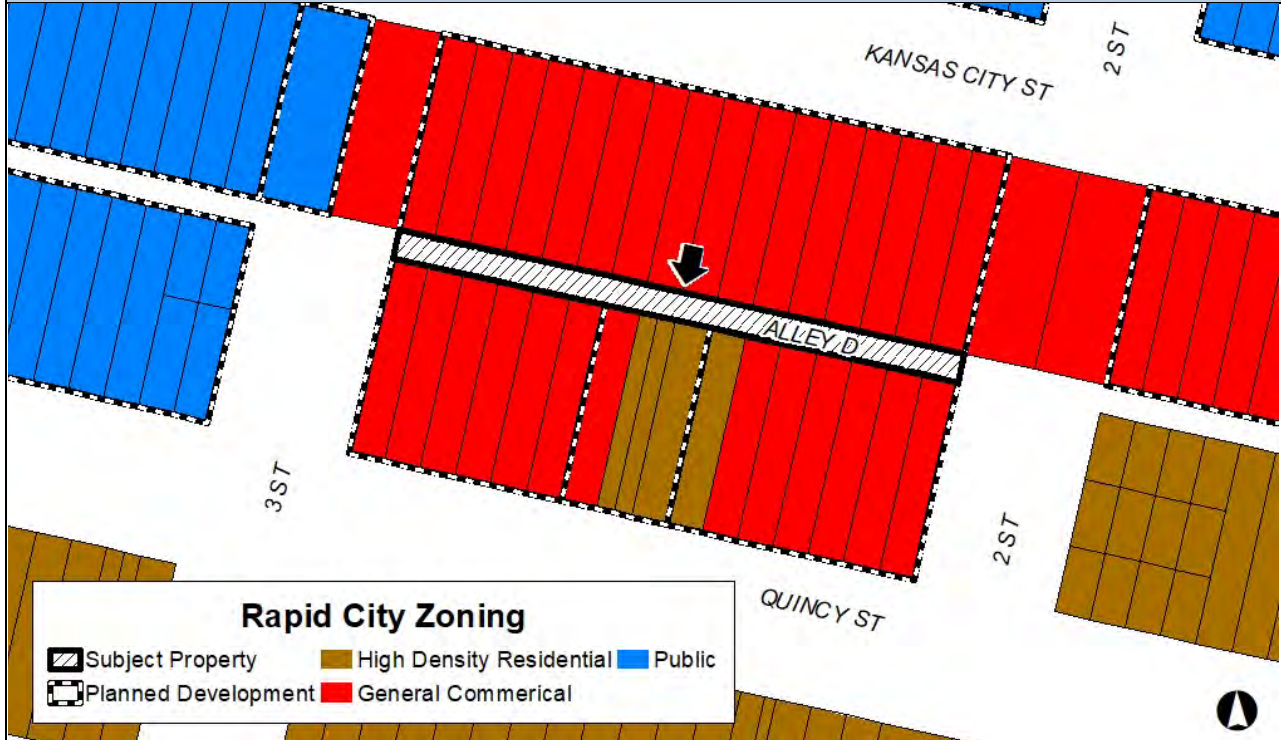
Project Summary Brief	
<p>The applicant has submitted a Vacation of Right-of-Way application for a portion of alley right-of-way located south of Kansas City Street between 2nd Street and 3rd Street. The proposed Vacation of Right-of-Way will maintain a utility easement as there is a City sewer main currently located in the alley. The Vacation of Right-of-Way application is being proposed as a part of the operational plan for the proposed OneHeart Campus.</p>	
Applicant Information	Development Review Team Contacts
Applicant: OneHeart	Planner: Fletcher Lacock
Property Owner: City of Rapid City	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: Fisk Land Surveying & Consulting Engineers, Inc.	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Located south of Kansas City Street between 2 nd Street and 3 rd Street
Neighborhood	Downtown / Skyline Drive Neighborhood Area
Subdivision	Original Town of Rapid City
Land Area	10,000 square feet
Existing Buildings	No structural development
Topography	Level
Access	2 nd Street and 3 rd Street
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	DT	Alley right-of-way
Adjacent North	GC - PD	DT	Proposed OneHeart campus
Adjacent South	GC-PD and HDR-PD	DT	Proposed OneHeart campus
Adjacent East	GC	DT	Proposed OneHeart campus
Adjacent West	GC and P	DT	Proposed OneHeart campus

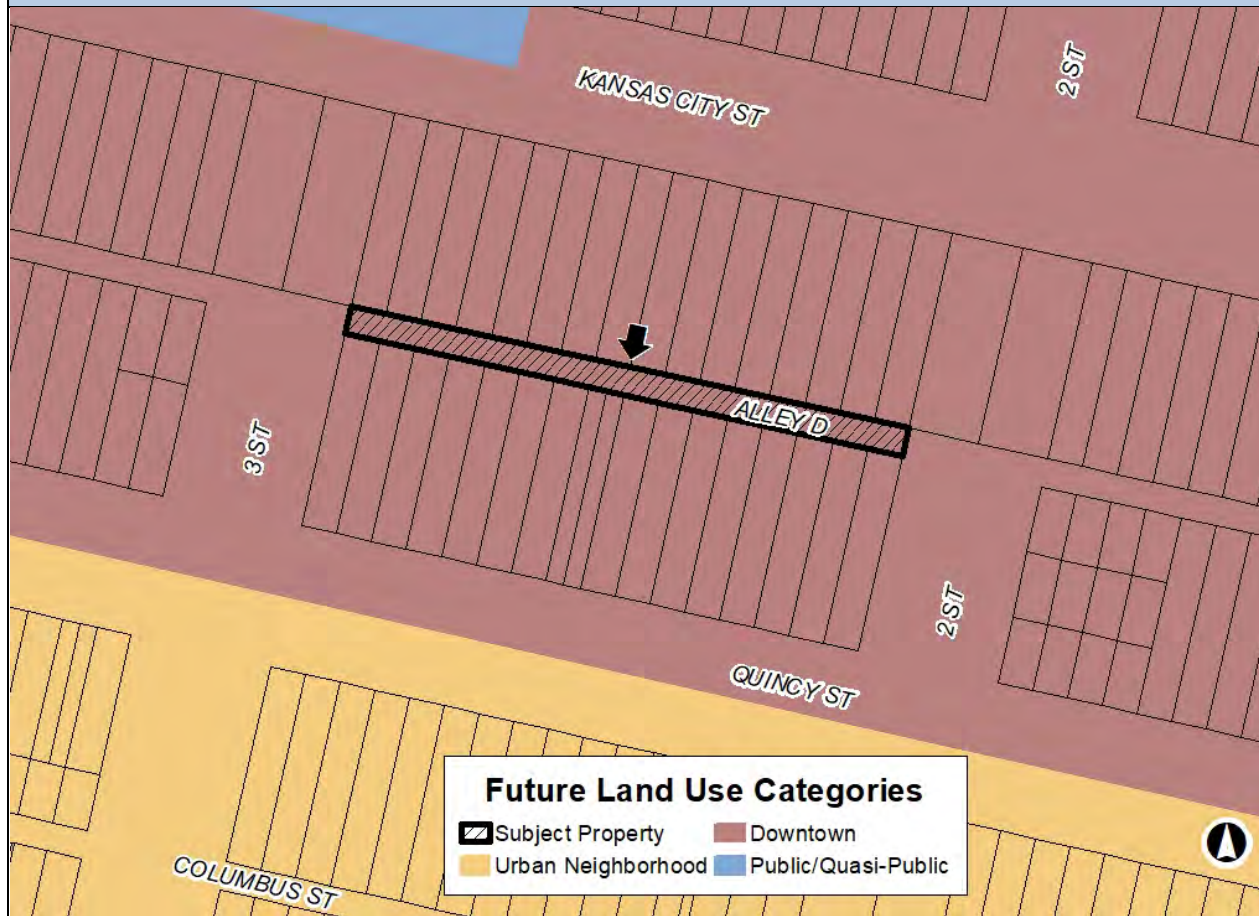
Zoning Map



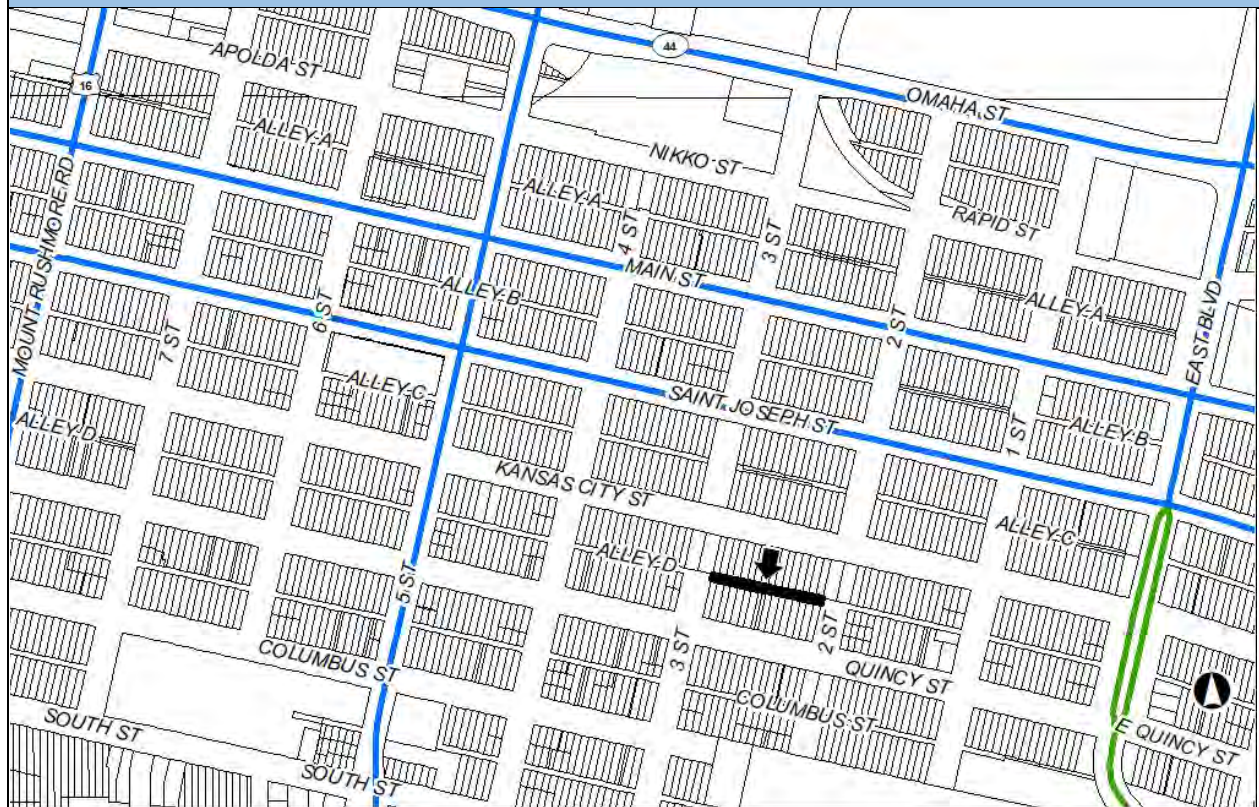
Existing Land Uses



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			
GC and HDR	Required	Proposed	
Lot Area	N/A	10,000 square feet	
Lot Frontage	N/A	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	0 feet	N/A	
• Side	0 feet	N/A	
• Street Side	0 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.	There is a public sewer main and private utilities located in the alley. The applicant is proposing to maintain a utility easement once the right-of-way is vacated.
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.	Transportation staff has indicated that the alley is not needed for bicycle or pedestrian use as Kansas City Street serves as the main bicycle/ pedestrian corridor between the South Dakota School of Mines & Technology (SDSM&T) campus and downtown.
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.	As noted above, access to the adjacent property will not be affected by the proposed Vacation of Right-of-Way.
6. The vacation will not reduce the quality of public services to any parcel of land.	As noted above, a utility easement will be recorded once the right-of-way is vacated ensuring access to the City sewer main and private utilities.

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-2.1B	Multi-Modal Review: The alley right-of-way is not needed for bicycle/pedestrian movement as Kansas City Street is identified as the primary bicycle/pedestrian corridor.
	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. Notice of this request is also posted in the local newspaper pursuant to the requirements set forth by the Rapid City Municipal Code.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter

Future Land Use Plan Designation(s):	Downtown
Design Standards:	
GDP-MU4	Pedestrian Access and Orientation: As previously noted, Transportation staff has indicated that Kansas City Street is identified as the main bicycle /pedestrian corridor between the SDSM&T campus and downtown.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood:	Downtown / Skyline Drive Neighborhood Area
Neighborhood Goal/Policy:	
N/A	The requested Vacation of Right-of-Way application is for a portion of alley right-of-way located south of Kansas City Street between 2 nd Street and 3 rd Street. The applicant has also submitted a Major Amendment to a Planned Development (File

	#20PD003) to allow temporary / transitional housing and support services for the OneHeart campus on the adjacent properties to the north and south of the existing alley.
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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 applicant is proposing to dedicate a utility easement in the vacated alley for existing and future public and private utilities.
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Planning Commission Recommendation and Stipulations of Approval
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Staff recommends that the Vacation of Right-of-Way be approved.
