



Rapid City Planning Commission

Vacation of Right-of-Way Project Report

November 25, 2020

Item #8
Applicant Request(s)
Case #20VR004 – 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.

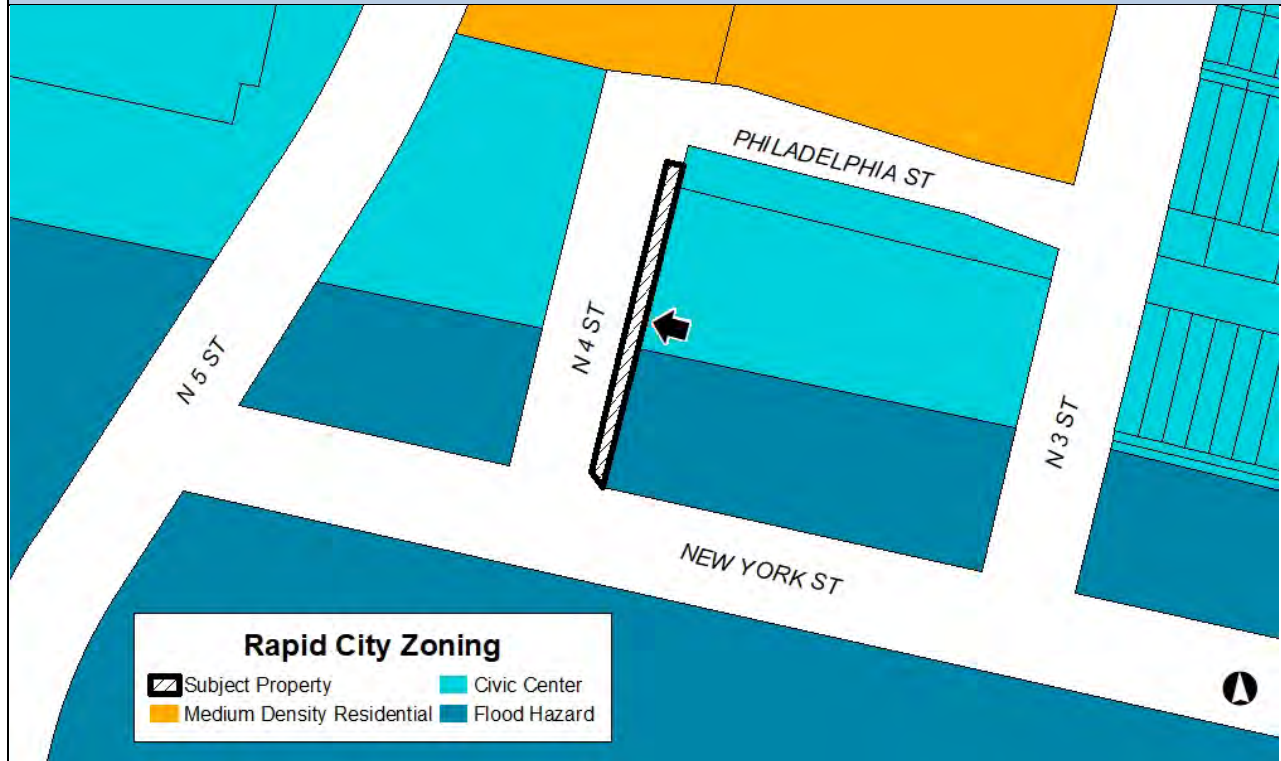
Project Summary Brief	
<p>The applicant has submitted a Vacation of Right-of-Way application for a 17-foot wide portion of North 4th Street right-of-way located north of the intersection of New York Street along the east side of North 4th Street. The adjacent properties are owned by the City of Rapid City and leased by the Rapid City Club for Boys. The applicant has indicated that the proposed Vacation of Right-of-Way is needed in order to pave an existing gravel parking area currently located within the right-of-way.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Rapid City Club for Boys	Planner: Fletcher Lacock
Property Owner: City of Rapid City	Engineer: Roger Olsen
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: Fisk Land Surveying & Consulting Engineers, Inc.	Water/Sewer: Roger Olsen
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	The east side of North 4 th Street located north of New York Street / 320 North 4 th Street
Neighborhood	North Rapid Neighborhood Area
Subdivision	Rapid City greenway Tract / RU Lots
Land Area	Approximately 5,485 square feet
Existing Buildings	No structural development
Topography	Relatively level
Access	North 4 th Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	Federally designated 100-year and 500-year Floodplain
Other	N/A

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	N/A	P/QP	North 4 th Street right-of-way
Adjacent North	MDR	P/QP	Multi-family dwellings
Adjacent South	FH	PG	Parking
Adjacent East	FH and CC	P/QP and PG	Boys and Girls Club and park
Adjacent West	FH and CC	P/QP and PG	Senior citizen center

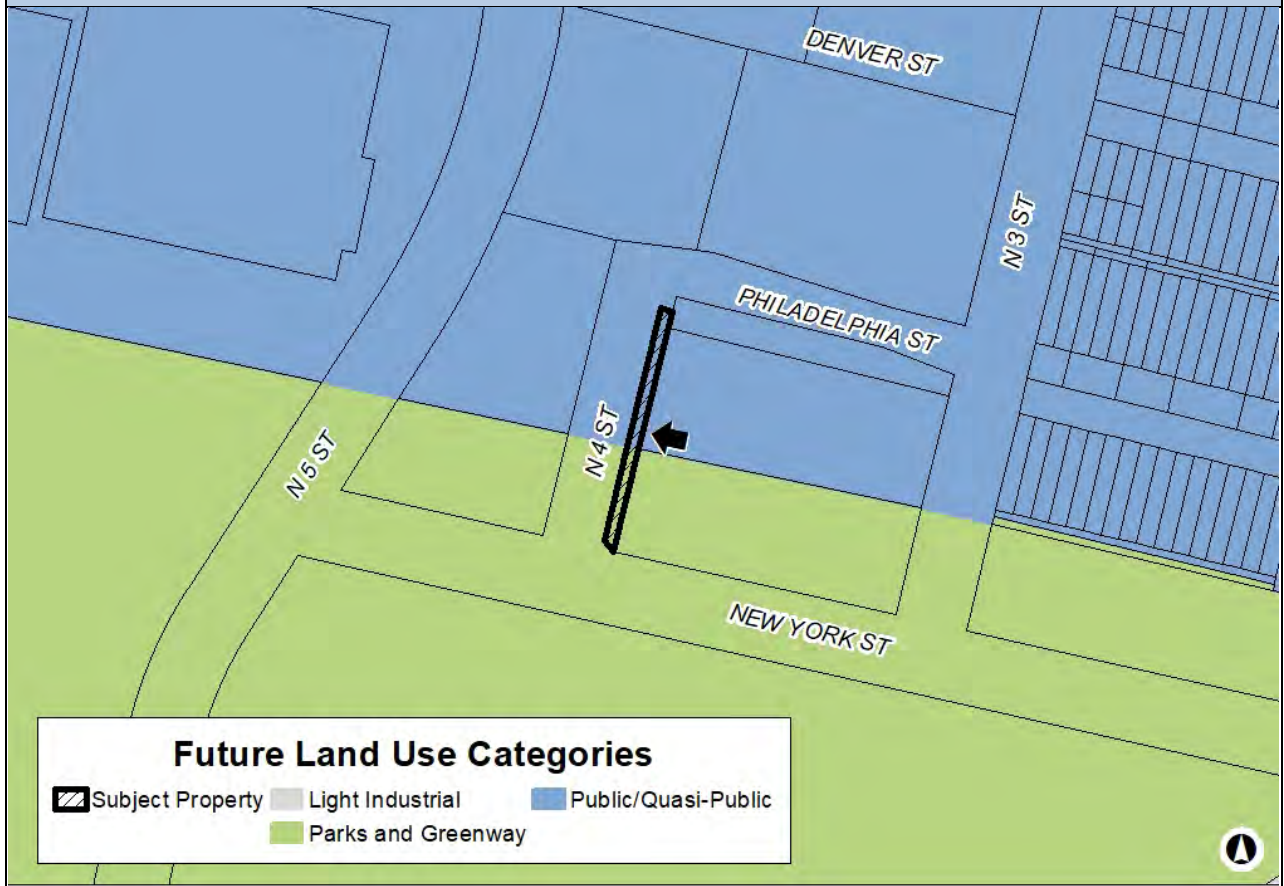
Zoning Map



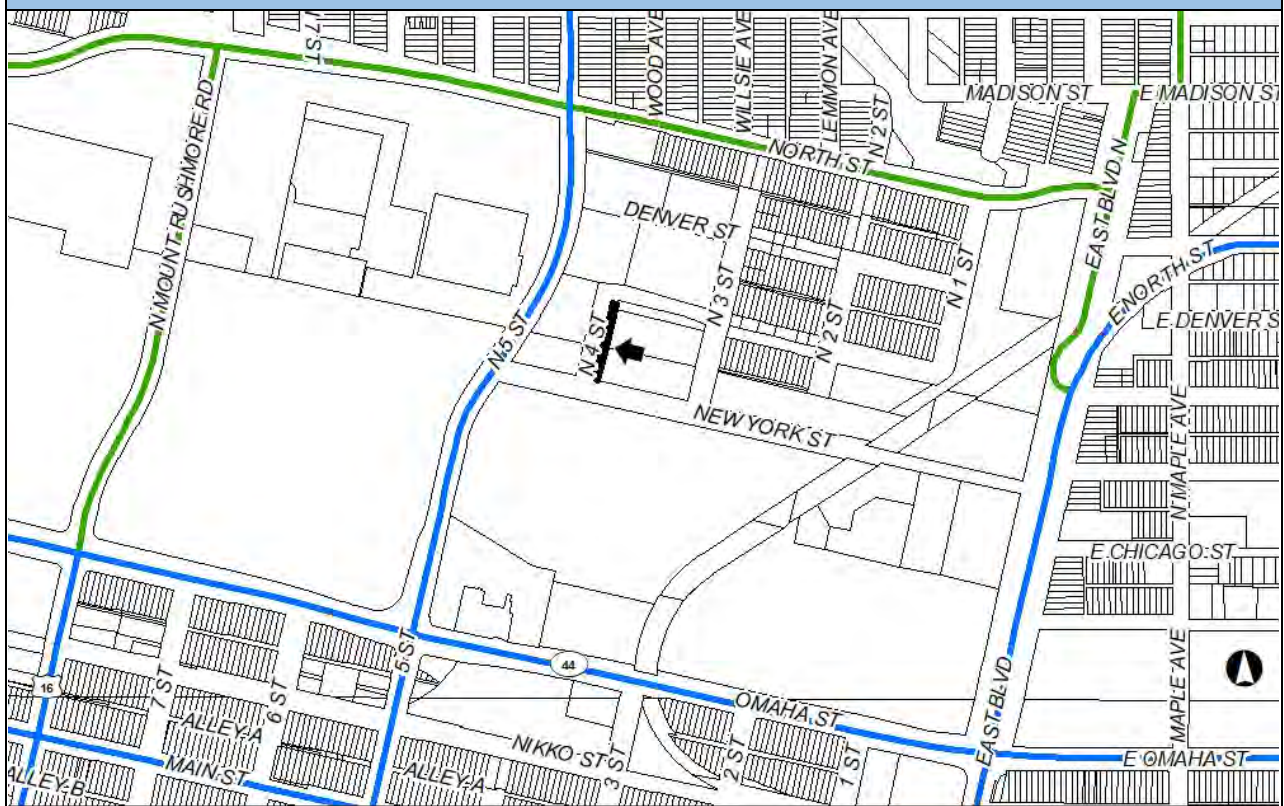
Existing Land Uses



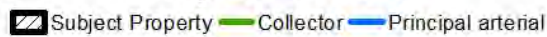
Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan










Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Flood Hazard and Civic Center	Required	Proposed	
Lot Area	N/A	5,485 square feet	
Lot Frontage	N/A	N/A	
Maximum Building Heights	12 stories	N/A	
Maximum Density	50%	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.	There is a public water main located in the North 4 th Street right-of-way. The proposed Vacation of Right-of-Way maintains a 14.5-foot separation between the adjacent property to the east and the existing water main.
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 North 4 th Street is a commercial street requiring 70 feet of right-of-way. The proposed Vacation of Right-of-Way will maintain a right-of-way width of 83 feet.
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.	Access to the adjacent properties 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.	Public Works staff has indicated that that the proposed vacation will not negatively impact the existing water main located in North 4 th Street.

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: North 4 th Street is identified as a commercial street requiring a minimum right-of-way width of 70 feet. The proposed request will maintain a right-of-way width of 83 feet in compliance with the Infrastructure Design Criteria Manual.
	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):	Public / Quasi-Public and Parks and Greenway
Design Standards:	
N/A	The adjacent property is owned by the City of Rapid City and leased to the Rapid City Club for Boys. The applicant has indicated that the existing gravel parking will be paved once the right-of-way is vacated.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood:	North Rapid Neighborhood Area
Neighborhood Goal/Policy:	
NR-NA1.1E	Parks and Greenways: Parks and Recreation staff have indicated support for the proposed request. The proposed paved parking is allowed by the lease

agreement.

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 of Right-of-Way does not negatively impact public utilities, will not create landlocked properties, and complies with the lease agreement with the City of Rapid City.
--

Planning Commission Recommendation and Stipulations of Approval
--

Staff recommends approval of the Vacation of Right-of-Way.
--