

STAFF REPORT

October 24, 2002

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**No. 02SR020 - 11-6-19 SDCL Review to allow the construction of a street in public right-of-way**      **ITEM 23**

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GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Bill Freytag
REQUEST	<b>No. 02SR020 - 11-6-19 SDCL Review to allow the construction of a street in public right-of-way</b>
EXISTING LEGAL DESCRIPTION	Lots 12 and 13, Madison's Subdivision, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.13 acres
LOCATION	4200 block of Haines Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Suburban Residential District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/25/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review be approved with the following stipulations:

Engineering Division Recommendations:

1. The road construction plans shall include the extension of water, sanitary sewer and storm sewer;
2. Prior to the start of construction, all red line revisions to the road construction plans shall be completed and submitted for review and approval; and,

Air Quality Division Recommendation:

3. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre.

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#### GENERAL COMMENTS:

The applicant is proposing to construct a street within a section line highway located on the above legally described property. The applicant has indicated that the street will serve as an access road to future development north and west of the proposed street.

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then no street, park or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or authorized in the municipality or within its subdivision jurisdiction until and unless the location and extend thereof shall have been submitted to and approved by the Planning Commission". The proposed street is to be located within public right-of-way and the property is identified as a part of the Rapid City Comprehensive Plan requiring that the proposed use be reviewed and approved b the Rapid City Planning Commission.

#### STAFF REVIEW:

Staff has reviewed the request and has identified the following considerations:

Road Construction Plans: The road construction plans identify the extension of three 12 foot wide paved lanes extending west from Haines Avenue for a distance of approximately 260 feet. The proposed street aligns with Country Road, an existing street extending east from Haines Avenue. The proposed street continues eastward tapering into two 12 foot wide paved lanes for a distance of approximately 100 feet. As previously indicated, the applicant has indicated that the proposed street will serve as an access road to future development north and west of the proposed street. In addition, the applicant has indicated that future extension(s) of the proposed street will result in the road being curved to the north in order to provide building sites on both sides of the proposed street.

The Engineering Division has indicated that the road construction plans must include the extension of water and sanitary sewer. In addition, storm run-off facilities must be constructed as necessary. The Engineering Division has also indicated that prior to the start of construction, all red line revisions to the road construction plans must be completed and submitted for review and approval

The Transportation Division has indicated that the proposed road is identified as a collector road on the Major Street Plan. As such, any future platting of the adjacent properties will require that an additional five foot of right-of-way be dedicated.

Air Quality: The Air Quality Division has indicated that the subject property is located within the Air Quality Control Zone. An Air Quality Permit will be needed prior to any construction and/or development resulting in a surface disturbance in excess of one acre for that area of the property located within the Air Quality Control Zone.

Comprehensive Plan: The Rapid City Comprehensive Plan identifies the appropriate land use

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for this area as residential. The construction of the proposed street will serve the needs of the area as it develops and/or redevelops. Staff finds that the construction of the proposed street is consistent with the adopted Comprehensive Plan and recommends that the 11-6-19 SDCL Review be approved with the stipulations as outlined above.