

STAFF REPORT

February 5, 2004

No. 04SR001 - 11-6-122 SDCL Review for the extension and acquisition of right-of-way and 11-6-19 SDCL Review for the construction of utilities and street improvements **ITEM 4**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 04SR001 - 11-6-22 SDCL Review for the extension and acquisition of right-of-way and 11-6-19 SDCL Review for the construction of utilities and street improvements
EXISTING LEGAL DESCRIPTION	SE1/4 of Section 13, T1N, R7E and the NE1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	South of the Minnesota Street/Fifth Street intersection
EXISTING ZONING	Office Commercial District/Public District/General Agriculture District
SURROUNDING ZONING	
North:	Office Commercial District
South:	County
East:	Public District/General Agriculture District
West:	Public District/General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	01/23/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the 11-6-22 SDCL Review for the extension and acquisition of right-of-way be approved and that the 11-6-19 SDCL Review for the construction of utilities and street improvements be approved.

GENERAL COMMENTS:

The City's Engineering Division has recently reviewed and approved construction plans for the extension of Fifth Street from Minnesota Street to Catron Boulevard. The construction of this section of Fifth Street will complete a north-south roadway through Rapid City.

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

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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 extent thereof shall have been submitted to and approved by the Planning Commission". In addition, South Dakota Codified Law 11-6-22 states that "...the acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land for any street or other public way, ground, place, property, or structure, shall be subject to submission and approval similar to that provided in SDCL 11-6-19". The City is proposing to acquire right-of-way for the construction of Fifth Street as identified above. As such, both the acquisition of right-of-way and the construction of the street improvements must be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

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

Road Construction Plans: Fifth Street is identified as a principal arterial street on the City's Major Street Plan requiring that a minimum 100 foot wide right-of-way be obtained for the street. The road construction plans identify that Fifth Street will be located within a minimum 100 foot wide right-of-way. Additional right-of-way will be obtained to accommodate turn lanes as needed.

The construction plans also identify that the street will be constructed with two through lanes in each direction and a median to accommodate left turn lanes. In addition, the street will be constructed with curb, gutter, street light conduit, water and sewer. The design of the street meets the standards for an arterial street as established in the Street Design Criteria Manual. As such, staff is recommending that the extension and acquisition of right-of-way and the construction of utilities and street improvements be approved.