

STAFF REPORT
March 10, 2005

No. 05SR008 - SDCL 11-6-19 Review to allow construction of street and public utilities **ITEM 16**

GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for Lazy P-6 Land Co. Inc.
REQUEST	No. 05SR008 - SDCL 11-6-19 Review to allow construction of street and public utilities
EXISTING LEGAL DESCRIPTION	N1/2 NW1/4 NW1/4, Government Lot 1, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.00 acres
LOCATION	East of Parkview Drive and north of Catron Boulevard
EXISTING ZONING	Low Density Residential II District
SURROUNDING ZONING	
North:	General Agricultural District
South:	Medium Density Residential District
East:	General Agricultural District
West:	General Agricultural District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/11/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow construction of street and public utilities be approved with the following stipulations:

1. Prior to Planning Commission approval, a drainage plan shall be submitted for review and approval demonstrating that the street is being constructed to accommodate flows from the adjacent property;
2. Prior to the start of construction, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
3. Prior to the start of construction, a public utility easement shall be recorded at the Register of Deed's Office for the construction of City sewer and water or a Final Plat and/or H Lot shall be recorded dedicating Sandra Lane as public right-of-way;
4. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre; and,
5. Prior to the start of construction, the applicant shall provide information demonstrating that wetland mitigation has been accomplished for this area. In addition, a 404 Permit

STAFF REPORT
March 10, 2005

No. 05SR008 - SDCL 11-6-19 Review to allow construction of street and public utilities

ITEM 16

shall be obtained, if necessary, from the Corp of Engineers.

GENERAL COMMENTS:

The applicant is proposing to construct approximately 1,000 of a street to be known as "Sandra Lane" on the above legally described property. In particular, the applicant has indicated that City sewer and water will be extended as a part of the construction of the street. The property is located at the southern terminus of Parkview Drive on the east side of the street and is currently void of any structural development.

On February 7, 2005, the City Council approved a Layout Plat to subdivide a 20 acre parcel into 53 residential lots leaving an unplatted balance. The Layout Plat identified Sandra Lane as shown on this SDCL 11-6-19 Review request.

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 applicant is proposing to extend public utilities. In addition, the property is identified as a part of the Rapid City Comprehensive Plan requiring that the proposed use 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: Parkview Drive is classified as a collector street on the City's Major Street Plan requiring that the street be located in a minimum 76 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has submitted road construction plans for Parkview Drive which show the construction of a 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water as required. The applicant should be aware that upon platting of the adjacent property, an additional five feet of right-of-way must be dedicated. Staff is recommending that Parkview Drive be constructed in compliance with the approved construction plans.

Sandra Lane: Sandra Lane is classified as a subcollector street requiring that the street be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has submitted road construction plans for Sandra Lane which show the construction of a 31 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant should be aware that upon platting the subject property, a minimum 52 foot wide right-of-way must be dedicated for the street. In addition, as noted during the review of the Layout Plat, Sandra Lane must be constructed to the east lot line of the property or a Variance to the Subdivision Regulations must be obtained to allow the property to be subdivided in a manner which omits part of the original tract to avoid street, drainage or

STAFF REPORT
March 10, 2005

No. 05SR008 - SDCL 11-6-19 Review to allow construction of street and public utilities

ITEM 16

other required infrastructure improvements surface. Staff is recommending that prior to the start of construction, all necessary changes be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings must be returned to the Growth Management Department. Staff is also recommending that prior to the start of construction, a public utility easement must be recorded at the Register of Deed's Office for the construction of City sewer and water across private property or a Final Plat and/or H Lot must be recorded dedicating Sandra Lane as public right-of-way.

Staff has noted that a drainage plan has not been submitted demonstrating that the street is being constructed to accommodate drainage from the adjacent properties. As such, staff is recommending that prior to Planning Commission approval, a drainage plan as identified must be submitted for review and approval.

Wetland Mitigation: A wetland area exists on a portion of the subject property. As such, staff is recommending that prior to the start of construction, the applicant must provide information demonstrating that wetland mitigation has been accomplished for this area. In addition, a 404 Permit must be obtained, if necessary, from the Corp of Engineers.

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 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.