

STAFF REPORT  
September 8, 2005

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**No. 05SR049 - 11-6-19 SDCL Review to allow St. Charles Street  
Improvements and Storm Sewer in Creek Drive Right-of-Way**      **ITEM 21**

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GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for James Letner
REQUEST	<b>No. 05SR049 - 11-6-19 SDCL Review to allow St. Charles Street Improvements and Storm Sewer in Creek Drive Right-of-Way</b>
EXISTING LEGAL DESCRIPTION	Lot B of Lot 3, Tract D, located in the SW1/4 SW1/4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.338 acres
LOCATION	1720 East St. Patrick Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/12/2005
REVIEWED BY	Linda Foster / Bob Dominicak

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow St. Charles Street Improvements and Storm Sewer in Creek Drive Right-of-Way be approved with the following stipulations:

1. A Flood Plain Development Permit shall be obtained prior to construction on that portion of the subject property that lies within the federally designated 100 year flood plain;
2. East St. Charles Street shall be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained; In addition, the construction plans shall be revised to address red lined comments;
3. Creek Drive storm sewer shall be built in accordance with the submitted plans; In addition, the construction plans shall be revised to address red lined comments;
4. Prior to the start of construction, a 404 permit shall be obtained from the U.S. Army Corps of Engineers if needed; and,
5. A geotechnical report for pavement design and subgrade preparation shall be submitted for review and approval.

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GENERAL COMMENTS: Creek Drive is classified as a minor arterial street on the City's Major Street Plan requiring that it be located in a minimum 100 foot wide right-of-way. East St. Charles Street is classified as an industrial /commercial street requiring that the street be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface. The applicant is requesting approval of an 11-6-19 Review to allow St. Charles Street improvements and storm sewer in Creek Drive right-of-way.

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 extent thereof shall have been submitted to and approved by the Rapid City Planning Commission." The proposed construction is located in public right-of-way requiring that the proposed construction be reviewed and approved by the Rapid City Planning Commission as a part of an SDCL 11-6-19 Review.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review and has noted the following issues:

Design Plan: Creek Drive is classified as a minor arterial street on the City's Major Street Plan requiring that it be located in a minimum 100 foot wide right-of-way. East St. Charles Street is classified as an industrial /commercial street requiring that the street be located in a minimum 59 foot wide right-of-way. As such, staff is recommending that this street be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained.

Flood Plain: Staff has identified that a portion of the subject property is located within the federally designated 100 year floodplain. As such, staff is recommending that a Flood Plain Development Permit be obtained prior to construction on that portion of the subject property that lies within the flood plain.

Geotechnical Analysis: A geotechnical report for pavement design and subgrade preparation shall be submitted for review and approval.

Wetlands: Staff has identified that a portion of the subject property may be located in a federally designated wetlands area. As such, staff is recommending that prior to the start of construction a 404 permit shall be obtained from the U.S. Army Corps of Engineers if needed.

Staff is recommending approval of the SDCL 11-6-19 Review with the above stated stipulations.