

STAFF REPORT
October 6, 2005

No. 05SR056 - 11-6-19 SDCL Review to construct road improvements, extend right-of-way and public utilities **ITEM 12**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 05SR056 - 11-6-19 SDCL Review to construct road improvements, extend right-of-way and public utilities
EXISTING LEGAL DESCRIPTION	Lot 1, New Park Subdivision, NW1/4 SW1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.25 acres
LOCATION	At the south terminus of Kyle Street and the eastern terminus of Kathryn Avenue
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Public District
East:	Low Density Residential District
West:	Public District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	9/9/2005
REVIEWED BY	Karen Bulman / David L. Johnson

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to construct road improvements, extend right-of-way and public utilities be approved with the following stipulations:

1. An Air Quality Permit shall be obtained prior to construction;
2. Kathryn Street shall have a 68 foot right-of-way and a 32 foot pavement width with parking on one side;
3. All sub-collector streets shall have a 52 foot right-of-way with a 27 foot pavement width;
4. Temporary construction easements shall be obtained from the adjacent property to allow grading for the detention pond on the adjacent property;
5. Prior to construction, an agreement from Black Hills Power shall be obtained to allow work within the 40 foot wide Black Hills Power easement along the northern portion of the subject property;
6. A 55 foot radius all weather temporary turnaround shall be constructed; and,
7. The streets, rights-of-way, and public utilities shall be built as per the approved plans.

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GENERAL COMMENTS: The subject property is located at the south terminus of Kyle Street and the eastern terminus of Kathryn Avenue and west of Haines Avenue. The subject property is currently zoned Public District. The properties located north and east of the subject property are zoned Low Density Residential District. The properties located south and west of the subject property are zoned Public District. The applicant is requesting approval of a SDCL 11-6-19 Review to construct road improvements, extend a public right-of-way and extend public utilities.

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 Planning Commission". This is a public street, public right-of-way and public utility located on privately owned land requiring that the Planning Commission review and approve of the proposed installation.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Streets: Kathryn Avenue is a collector street with parking on one side. A 68 foot right-of-way with a 32 foot pavement width is required and is proposed with this SDCL 11-6-19 Review. The balance of all other streets within this 11-6-19 SDCL Review are indicated as sub-collector streets on the Major Street Plan. As such, a 52 foot right-of-way with a 27 foot pavement width is required. The plans submitted are in concurrence with this street design.

Easements: A 40 foot wide Black Hills Power easement is located on the northern portion of the subject property. An agreement from Black Hills Power is needed to allow construction within the 40 foot wide easement. Temporary construction easements from adjacent property owners to allow grading for a detention pond on adjacent property will be required prior to construction.

Turnaround: The site plan indicates a 40 foot radius turnaround at the end of Kathryn Avenue. A 55 foot radius on a temporary turnaround with an all weather surface is required for fire apparatus. As such, construction plans shall indicate a 55 foot radius turnaround.

Air Quality: An area that is greater than one acre will be disturbed during construction of the public improvements. As such, an Air Quality permit will be required.

Staff recommends that the 11-6-19 SDCL Review be approved with the above stated stipulations.