

STAFF REPORT
January 5, 2006

No. 05SR066 - SDCL 11-6-19 Review to obtain Right-of-Way and reconstruct a portion of a street **ITEM 14**

GENERAL INFORMATION:

PETITIONER	Tom Horan and Graham Smith for the South Dakota Department of Transportation
REQUEST	No. 05SR066 - SDCL 11-6-19 Review to obtain Right-of-Way and reconstruct a portion of a street
EXISTING LEGAL DESCRIPTION	Mountain View Road Right-of-Way located south of Omaha Street and north of Jackson Boulevard
PARCEL ACREAGE	Approximately 10 Acres
LOCATION	Mountain View Road Right-of-Way located south of Omaha Street and north of Jackson Boulevard
EXISTING ZONING	General Commercial District - Shopping Center-2 District - Park Forest District - Medium Density Residential District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	Shopping Center-2 District - Park Forest District - Medium Density Residential District
PUBLIC UTILITIES	City water, sewer
DATE OF APPLICATION	12/8/2005
REVIEWED BY	Mike Maxwell / Bob Dominicak

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to obtain Right-of-Way and reconstruct a portion of a street be approved with the following stipulations;

1. Prior to start of construction, drainage information for flows into the detention pond and the drainage facilities to be designated in accordance with the City of Rapid City Drainage Criteria Manual shall be submitted for review and approval;
2. Prior to start of construction, a plan showing sedimentation/erosion control measures in the area of the street widening and grading shall be submitted for review and approval;
3. Prior to start of construction, a note regarding coordination with the City of Rapid City for construction of channel improvements and detention pond in the soccer fields north of the railroad at Omaha and Mountain View Intersection shall be placed on the site plan;
4. Prior to start of construction, the applicant shall provide a typical section of street

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- improvements, showing widths and pavement sections;
5. Prior to start of construction, a site plan shall be submitted showing the current location and proposed locations of fire hydrants;
 6. Prior to the start of construction, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Development Service Center Division; and;
 7. Removal of landscaping shall be allowed as needed. However, at such time as a change of use/or expansion of use occurs on the affected properties the landscaping shall be modified, if needed, to comply with the City's adopted Landscaping Regulations.

GENERAL COMMENTS: The South Dakota Department of Transportation has proposed a reconstruction project for a portion of Mountain View Road. The project will involve removing and replacing pavement, upgrading signals, adding turning lanes, adding new curb, gutter and sidewalks on that portion of Mountain View Road between Omaha Street and Jackson Boulevard including part of West Main 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 extent thereof shall have been submitted to and approved by the Planning Commission". As previously indicated, the proposed construction will be located on publicly owned land requiring that the Planning Commission review and approve the proposed construction.

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:

Drainage: Prior to the start of construction, the applicant shall provide additional information on drainage flows into the detention facilities and shall provide information on the detention facilities in accordance with the Rapid City Drainage Criteria Manual.

Erosion Control: Prior to the start of construction, the applicant shall submit a revised plan showing sedimentation/erosion control measures in the area of the street widening and grading along Mountain View Road.

Road Construction: Prior to the start of construction, the applicant shall provide revised plans on the typical sections of street improvements, showing widths and pavement sections.

Landscaping: Staff has noted that the expansion of right-of-way by the South Dakota Department of Transportation will remove approved landscaping from the current businesses along Mountain View Road causing the business to no longer meet the landscaping requirements. Staff has noted that the businesses will be allowed to continue without the required landscaping until such time as the business expands or a change of use on the property occurs. At such time the landscaping on the effected properties must be

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brought into compliance with the landscaping ordinance.

Fire Hydrants: Prior to the start of construction, a revised site plan showing the locations of existing and/or proposed fire hydrants shall be submitted for review and approval.

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