

STAFF REPORT
April 20, 2006

No. 06SR027 - SDCL 11-6-19 Review to relocate a portion of a public street **ITEM 18**

GENERAL INFORMATION:

PETITIONER	Centerline for Founders Park, LLC
REQUEST	No. 06SR027 - SDCL 11-6-19 Review to relocate a portion of a public street
EXISTING LEGAL DESCRIPTION	Tract 18 and a portion of the West Street and West Chicago Street rights-of-way lying adjacent to Tract 18, Rapid City Greenway Tracts, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .05 acres
LOCATION	North of Omaha Street and the southwest corner of the Executive Golf Course
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Office Commercial District
South:	General Commercial District
East:	Flood Hazard District
West:	Office Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	4/7/2006
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to relocate a portion of a public street be approved with the following stipulations:

1. Prior to the start of construction, complete construction plans shall be submitted for review and approval. In particular, the construction plans shall include street and utility design and grading and drainage information. In addition, all necessary changes shall be made to the construction plans as identified on the red lined drawings. The red lined drawings shall also be returned to the Growth Management Department;
2. Prior to the start of construction, an H-Lot shall be recorded for that portion of W. Chicago Street to be located outside of the existing right-of-way or the right-of-way shall be dedicated as a part of a Preliminary and Final Plat;
3. Prior to the start of construction, the applicant shall coordinate the project with the Golf

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- Course Superintendent to insure that access is being maintained as needed to the golf course and to clearly identify the boundaries of the project; and,
4. An Air Quality Permit shall be obtained prior to any disturbance of the soil(s) in excess of one acre.

GENERAL COMMENTS:

The applicant has submitted an SDCL 11-6-19 Review to relocate a portion of W. Chicago Street. In particular, the applicant is proposing to relocate approximately 200 feet of W. Chicago Street at its western terminus as it intersects with West Street.

The City Council has recently approved a Layout Plat to subdivide 20 acres located directly west of W. Chicago Street into three lots to be known as The Village at Founders Park. In addition, the Planning Commission has approved an Initial Planned Residential Development to allow a mix of multi-family units and office use to be constructed on the adjacent property. The City Council is also currently reviewing a Vacation of Right-of-way request to vacate West Street as it abuts the adjacent property. The applicant is proposing to relocate W. Chicago Street to improve access to this proposed development.

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". The proposed street with utility extensions are public improvements and the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

Staff has reviewed the SDCL 11-6-19 and has noted the following considerations:

Street Improvement(s): The applicant has submitted a plan and profile showing the relocation of the street. To date, complete construction plans have not been submitted for review and approval. As such, staff is recommending that prior to the start of construction, complete construction plans be submitted for review and approval. In particular, the construction plans must include street and utility design and grading and drainage information. In addition, all necessary changes must be made to the construction plans as identified on the red lined drawings. The red lined drawings must also be returned to the Growth Management Department

Right-of-way/H-Lots: Relocating W. Chicago Street as proposed will result in a portion of the street being located outside of the existing right-of-way. As such, staff is recommending that prior to the start of construction, an H-Lot be recorded for that portion of W. Chicago Street to be located outside of the existing right-of-way or the right-of-way must be dedicated as a part of a Preliminary and Final Plat.

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Golf Course: The proposed street relocation will encroach onto the City's Executive Golf Course. As such, staff is recommending that prior to the start of construction, the applicant coordinate the project with the Golf Course Superintendent to insure that access is being maintained as needed to the golf course and to clearly identify the boundaries of the project.

Air Quality Permit: As noted above, the City has approved and/or is currently reviewing the applicant's proposed development to be located directly west of W. Chicago Street. Staff has noted that relocating W. Chicago Street as a part of these associated projects will result in more than an acre of soil being disturbed. As such, staff is recommending that an Air Quality Permit be obtained prior to any disturbance of the soil(s) in excess of one acre.

Staff is recommending that the SDCL 11-6-19 Review be approved with the stipulations as identified above.