

STAFF REPORT  
May 4, 2006

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**No. 06SR031 - SDCL 11-6-19 Review to construct a street**

**ITEM 49**

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GENERAL INFORMATION:

PETITIONER	Sweet Creek LLC
REQUEST	<b>No. 06SR031 - SDCL 11-6-19 Review to construct a street</b>
EXISTING LEGAL DESCRIPTION	Located in Sections 34 and 35, T2N, R7E, BHM, Rapid City, South Dakota
PARCEL ACREAGE	Approximately 1.6 acres
LOCATION	Mountain View North extending north from Omaha Street
EXISTING ZONING	General Commercial District - Flood Hazard District - General Agriculture District
SURROUNDING ZONING	
North:	Light Industrial District - Business Park District
South:	General Commercial District - Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
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 construct a street be denied without prejudice.

GENERAL COMMENTS:

The applicant has submitted an SDCL 11-6-19 Review to construct approximately 1,160 feet of Mountain View Road from it's current terminus at Omaha Street north within a section line highway, diverting west across City park land to a privately owned parcel located directly north of the City's park land.

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 extension is a public improvement on public property and the property is identified as being located within the area covered by the Rapid City

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---

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:

Major Street Plan: The Major Street Plan identifies Mountain View Road being extended north from Omaha Street along the section line highway. As noted above, the applicant is proposing to construct a portion of the street within the section line highway and then divert the street west across City park land terminating in a cul-de-sac design on the applicant's property. The proposed street location and proposed cul-de-sac design is not in compliance with the Major Street Plan. As such, staff is recommending that the SDCL 11-6-19 Review be denied without prejudice to allow the applicant to submit a Comprehensive Plan Amendment to the Major Street Plan to amend the location and design of Mountain View Road as proposed or to amend the application constructing the street as per the adopted Major Street Plan. The applicant should be aware that a bike park has been proposed to be constructed on the City park land within this area. To date, the City Council has not approved the use of the land as a bike park. The City Council will have the opportunity to consider the applicant's proposed street location as a part of the Comprehensive Plan Amendment to the Major Street Plan.

Approach Permit/Traffic Impact Analysis: The South Dakota Department of Transportation has indicated that an Approach Permit must be obtained for the proposed street as it extends north from Omaha Street. In addition, a traffic impact analysis must be submitted for review and approval and the intersection of Omaha Street and Mountain View Road must be improved as needed with turn and/or deceleration lanes to safely move the traffic through the intersection. Additional signalization for the fourth leg of this intersection must also be provided. As such, staff is recommending that an Approach Permit be obtained as identified. In addition, staff is recommending that a Traffic Impact Analysis be submitted for review and approval and that the construction plans be revised as needed based on the Traffic Impact Analysis.

Drainage Plan/Floodplain Development Permit/404 Permit: A drainage plan must be submitted for review and approval. In particular, the drainage plan must include calculations and demonstrate how flows from the street and graded areas will discharge into Rapid Creek. In addition, the drainage plan must provide information demonstrating how construction will accommodate the existing storm sewer from the south and the outlet into Rapid Creek. Staff is recommending that a drainage plan be submitted for review and approval as identified.

A majority of the subject property is located within the federally designated 100 year floodplain boundaries. As such, a Floodplain Development Permit must be obtained prior to the start of any construction within this area. In addition, areas along Rapid Creek have been designated as wetland requiring that a 404 Permit be obtained from the Corp of Engineers prior to the start of any construction within this area. Staff is recommending that a Floodplain Development Permit and a 404 Permit be obtained as needed.

Construction Plans: Construction Plans for Mountain View Road must be submitted for review

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and approval. In particular, the construction plans must show the street located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, the street must be extended to the north providing a street connection to the adjacent properties. Intermediate turnarounds and temporary cul-de-sac(s) must also be provided as per the Street Design Criteria Manual. In particular, the cul-de-sac bulb(s) must be located in a minimum 110 foot diameter right-of-way and constructed with a minimum 96 foot diameter paved surface.

Utility Plan: A Master Utility Plan must be submitted for review and approval identifying the extension of public and private utilities within the proposed street section. The Master Utility Plan must address the connection points to City services as well as identify that adequate services are available to serve the property.

Erosion Control Plan/Grading Plan: An erosion control plan demonstrating repair and stabilization of disturbed areas must be submitted for review and approval. In addition, geotechnical information addressing slope stability and a grading recommendation must be submitted for review and approval. Staff is recommending that an erosion control plan and geotechnical information be submitted for review and approval as identified.

Site Plan: A site plan must be submitted for review and approval identifying the existing business located directly west of the section line highway as it extends north from Omaha Street. In particular, the site plan must show the proposed street extension in relation to the adjacent property owners building, parking lot, landscaping, etc. for that portion of the development that will be impacted by the proposed construction. Staff is recommending that a site plan be submitted for review and approval as identified.

Staff is recommending that the SDCL 11-6-19 Review be denied without prejudice to allow the applicant to address the issues as identified above.