

STAFF REPORT  
October 5, 2006

---

**No. 06SR064 - SDCL 11-6-19 Review to construct public storm sewer improvements** **ITEM 54**

---

GENERAL INFORMATION:

PETITIONER	Centerline for Lazy P-6 Land Co, Inc.
REQUEST	<b>No. 06SR064 - SDCL 11-6-19 Review to construct a portion of Stumer Road and Shelby Avenue</b>
EXISTING LEGAL DESCRIPTION	The unplatted portion of SW1/4 NW1/4 NW1/4, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	South of Sandra Lane and north of Stumer Road
EXISTING ZONING	Low Density Residential II District - Medium Density Residential District - Office Commercial District - General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Commercial District (Pennington County)
East:	General Agriculture District
West:	General Commercial District - Low Density Residential District (Planned Residential Development) - Office Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/8/2006
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to construct a portion of Stumer Road and Shelby Avenue with the following stipulations:

1. Prior to Planning Commission approval, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to Planning Commission approval, the construction plans shall be revised to show Shelby Avenue constructed with a minimum 27 foot wide paved surface or a Variance to the Subdivision Regulations shall be obtained to reduce the pavement width to 24 feet or an Exception to waive visitor parking shall be obtained or visitor parking shall be provided at a ratio of one visitor parking space per dwelling unit located within 300 feet of the residence;
3. Prior to Planning Commission approval, the construction plans for Shelby Avenue shall

STAFF REPORT  
October 5, 2006

---

**No. 06SR064 - SDCL 11-6-19 Review to construct public storm sewer improvements** **ITEM 54**

---

- be revised to show standard curb and gutter in lieu of roll over curb and gutter or an Exception to the Street Design Criteria Manual shall be obtained;
4. Prior to Planning Commission approval, additional drainage information shall be submitted for review and approval. In particular, inlets shall be provided at the intersection(s) as per the Drainage Criteria Manual or drainage information justifying the proposed design shall be submitted for review and approval. In addition, a drainage map of the area with drainage areas demonstrated for each inlet, along with gutter spread calculations for the ten year storm, shall be provided as per the Drainage Criteria Manual. Drainage information showing the conveyance of storm run-off across the lots along Stumer Road and Shelby Avenue to the drainage swale and drainage easement at station 6+40 (Shelby Avenue) without a storm sewer in place to tie into shall also be submitted for review and approval;
  5. Prior to Planning Commission approval, a revised geotechnical report supporting the proposed pavement design shall be submitted for review and approval or the pavement design shall be revised as per the previously submitted geotechnical report; and,
  6. Prior to the City sewer and water system becoming operational, Shelby Avenue and Stumer Road right-of-way shall be dedicated.

GENERAL COMMENTS:

The applicant has submitted an SDCL 11-6-19 Review to construct approximately 1,250 feet of Shelby Avenue and approximately 620 feet of Stumer Road. In particular, the applicant is proposing to construct curb, gutter, sidewalk, street light conduit, sewer, water, storm sewer and pavement along the two streets.

On December 2, 2002 the City Council denied without prejudice Layout Plat #02PL052 to subdivide a portion of the unplatted balance into twenty commercial lots.

On March 3, 2003, the City Council approved a Layout Plat to create 23 commercial lots on property located south of the subject property also owned by the applicant. In addition, the City approved a Master Plan on an additional forty acres located directly north of the Layout Plat that included the subject property.

On July 21, 2003, the City Council approved a Layout Plat to develop the subject property as a multi-family site. In addition, the City Council granted an Exception to allow 72 dwelling units in lieu of 40 dwelling units with one point of access as per the Street Design Criteria Manual.

On November 3, 2003, the City Council approved a Layout Plat to create a ten acre lot with the balance of the property identified as future medium density residential development and commercial development. The Layout Plat included the subject property.

On February 7, 2005, the City Council approved a Layout Plat to subdivide an area north of the subject property into 53 residential lots leaving an unplatted balance. On March 6, 2005, the Planning Commission approved a SDCL 11-6-19 Review to construct approximately 700 feet of Parkview Street within a section line highway located west of the subject property.

STAFF REPORT  
October 5, 2006

---

**No. 06SR064 - SDCL 11-6-19 Review to construct public storm sewer improvements** **ITEM 54**

---

On March 10, 2006, the Planning Commission approved a SDCL 11-6-19 Review to construct approximate 1,000 feet of Sandra Lane located north of the subject property.

The property is located in the southeast corner of the intersection of Sandra Lane and Parkview Drive and is currently void of any structural 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 utility extension is a public improvement 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:

**Shelby Avenue:** As noted above, Layout Plat #03PL096 was approved by the City Council on November 3, 2003. A stipulation of approval required that "Upon submittal of the Preliminary Plat, road construction plans for the proposed north-south street as a local street for that portion located in the Medium Density Residential District and as a commercial/industrial street for that portion located in the Office Commercial District shall be submitted for review and approval". Shelby Avenue as shown on this SDCL 11-6-19 Review application is the proposed north-south street. In addition, the property located along the northern portion of the street is zoned Medium Density Residential District and the property located along the southern portion of the property is zoned Office Commercial District. Staff has subsequently reviewed the classification of the street and noted that requiring the street to be constructed with two different standards will create a discontinuous street section. In addition, the Office Commercial District allows the same residential development(s) allowed in the Medium Density Residential District. As such, staff is recommending that the entire street be constructed as a sub-collector or local street in lieu of a commercial street which reduces the right-of-way width from 59 feet to 52 feet. In addition, the street must be constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. The construction plans show the street located in a 52 foot wide right-of-way and constructed with a 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. As such, staff is recommending that prior to Planning Commission approval, the construction plans be revised to show Shelby Avenue constructed with a minimum 27 foot wide paved surface or a Variance to the Subdivision Regulations must be obtained to reduce the pavement width to 24 feet or an Exception to waive visitor parking must be obtained or visitor parking must be provided at a ratio of one visitor parking space per dwelling unit located within 300 feet of the residence.

The construction plans also show roll over curb and gutter along Shelby Avenue. However,

STAFF REPORT  
October 5, 2006

---

**No. 06SR064 - SDCL 11-6-19 Review to construct public storm sewer improvements** **ITEM 54**

---

roll over curb and gutter are only allowed along a lane-place street, not a sub-collector street. As such, staff is recommending that prior to Planning Commission approval, the construction plans for Shelby Avenue be revised to show standard curb and gutter in lieu of roll over curb and gutter or an Exception to the Street Design Criteria Manual must be obtained.

Water and Sewer: Staff has previously reviewed and approved the water and sewer construction plans. However, to date, a SDCL 11-6-19 Review and/or a Preliminary Plat application have not been submitted for review and approval to allow the Planning Commission to review the extension of City utilities along these two future streets. The review and approval of this SDCL 11-6-19 Review will meet that requirement.

Right-of-way: Currently, right-of-way has not been dedicated for Shelby Avenue or this portion of Stumer Road. As such, staff is recommending that prior to the City sewer and water system becoming operational, Shelby Avenue and Stumer Road right-of-way be dedicated to insure that the City has the ability to access and maintain the system as needed.

Drainage Information: The applicant has submitted drainage calculations for review and approval. However, staff is recommending that prior to Planning Commission approval, additional drainage information be submitted for review and approval. In particular, inlets must be provided at the intersection(s) as per the Drainage Criteria Manual or drainage information justifying the proposed design must be submitted for review and approval. In addition, a drainage map of the area with drainage areas demonstrated for each inlet, along with gutter spread calculations for the ten year storm, must be provided as per the Drainage Criteria Manual. Drainage information showing the conveyance of storm run-off across the lots along Stumer Road and Shelby Avenue to the drainage swale and drainage easement at station 6+40 (Shelby Avenue) without a storm sewer in place to tie into must also be submitted for review and approval.

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