

STAFF REPORT
December 7, 2006

No. 06SR071 - SDCL 11-6-19 Review to reconstruct an existing street **ITEM 47**

GENERAL INFORMATION:

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| PETITIONER | Dream Design International, Inc. |
| REQUEST | No. 06SR071 - SDCL 11-6-19 Review to reconstruct an existing street |
| EXISTING LEGAL DESCRIPTION | Lot A of Lots 7 and 12; Lot B of Lots 7, 8, 9 and 12, Forkner Addition, all located in the NW1/4 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 4.092 acres |
| LOCATION | East of the intersection of Cambell Street and E. North Street along the south side of the E. North Street right-of-way |
| EXISTING ZONING | General Commercial District - Light Industrial District |
| SURROUNDING ZONING | |
| North: | General Commercial District |
| South: | General Commercial District - Light Industrial District |
| East: | General Commercial District |
| West: | General Commercial District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 10/13/2006 |
| REVIEWED BY | Vicki L. Fisher / Mary Bosworth |

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to modify an existing road be approved with the following stipulations:

1. Prior to the start of construction, 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 include the entire 700 foot long street in lieu of the western 300 feet of the street only. In particular, the construction plans shall show the street constructed with a minimum of 26 foot wide paved section designed in compliance with City Street Design standards. In addition, additional drainage, erosion control and grading information shall be submitted which include the additional road construction; and,

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3. The street shall be constructed in compliance with the approved South Dakota Department of Transportation Right-of-way Permit. In particular, the street shall be constructed to City Street Design Standards.

GENERAL COMMENTS:

(Update, November 25, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 22, 2006 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been revised.

(Update, November 13, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 9, 2006 Planning Commission meeting at the applicant's request.

The applicant has submitted a SDCL 11-6-19 Review to construct the western 300 feet of a service road located within the E. North Street right-of-way. The eastern portion of the street is constructed with an approximate 24 foot wide asphalt surface. On November 13, 2006, staff revisited the site and identified that the approach off of E. North Street is gravel. In addition, the eastern portion of the frontage road is an approximate 24 foot wide asphalt street. The portion of the street proposed for reconstruction, or the western portion, is asphalt millings with dirt/mud visible in several locations. The applicant is proposing to construct the western 300 feet of the service road with an approximate 24 foot wide paved surface to match the existing street section.

The street is located directly east of the intersection of Cambell Street and E. North Street along the south side of the E. North Street right-of-way. The street serves as access to property owned by Dakota Heartland, Inc. Currently, a commercial building is located on the property.

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 improvement 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:

Street Improvement(s): The construction plans currently show the reconstruction of the western 300 feet of a service road located along the south side of the E. North Street right-of-way. As previously indicated, the first 400 feet of the street extending from E. North Street is

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currently constructed with an approximate 24 foot wide asphalt surface. However, information has not been submitted identifying that the existing pavement is constructed to City Street Design Standards. In addition, the street is classified as a commercial street requiring that it be constructed with a minimum 26 foot wide paved surface in lieu of a 24 foot wide paved surface. The applicant is proposing to match the existing design and extend it to the Dakota Heartland, Inc. property. However, staff has noted that any street improvement within public right-of-way must be constructed with a paved section as per the Street Design Criteria Manual. In addition, the first 400 feet of the street must also be paved to City Street Design Standards in order to accommodate the traffic along the entire street section. Currently, City sewer and water mains exist in the E. North Street right-of-way. The applicant has also submitted drainage information demonstrating that the street improvement will be designed to accommodate drainage flows. Staff is recommending that prior to Planning Commission approval, the construction plans be revised to include the entire 700 foot long street in lieu of the western 300 feet of the street only. In particular, the construction plans must show the street constructed with a minimum of 26 foot wide paved section. Additional drainage, erosion control and grading information must also be submitted for review and approval which include the first 400 feet of the street.

Right-of-way Permit: The South Dakota Department of Transportation has indicated that a Right-of-way Permit has been issued for the proposed street improvement. The South Dakota Department of Transportation has indicated that the street must be constructed in compliance with the approved Right-of-way Permit. In particular, the street must be constructed to City Street Design Standard. In addition, a stipulation of approval requires that one approach be eliminated along Cambell Street. The South Dakota Department of Transportation staff has indicated that the one approach has been closed as a part of a previous street project. As such, the existing approach located along the southern portion of the property may remain open.

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