

STAFF REPORT

March 8, 2007

No. 07SR011 - SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street **ITEM 37**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07SR011 - SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street
EXISTING LEGAL DESCRIPTION	<p>A parcel of land located in the SW1/4 of the NE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the north center 1/16th corner of said Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, said corner being marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, southerly along the one-quarter 1/4 section line, S00°05'16"E, a distance of 135.90 feet, more or less, to the point of beginning, said point being marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, N90°00'00"E, a distance of 631.62 feet, more or less, to a point marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, curving to the left on a curve with a radius of 462.00 feet, a delta of 09°39'31" an arc length of 77.88 feet, and a chord bearing of N85°10'15"E and chord distance of 77.79 feet, to a point on the westerly edge of existing Concourse Drive right-of-way, said point being marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, southeasterly along the westerly edge of said Concourse Drive right-of-way and curving to the right on a curve with a radius of 438.53 feet, a delta of 09°57'02" an arc length of 76.16 feet, and a chord bearing of S07°07'13"E and chord distance of 76.06 feet, to a point on the westerly edge of existing Concourse Drive right-of-way, said point being marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, southwesterly and curving to the right on a curve with a radius of 538.00 feet, a delta of 09°17'59", an arc length of 87.32 feet, and a chord bearing of S85°21'00"W and chord distance of 87.23 feet, to a point marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, S90°00'00"W, a distance of 631.51 feet, more or less to a point located on the one-quarter 1/4 section line of said Section 4, said point being marked by a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, northerly along said 1/4 section line, N00°05'16"W, a distance of 76.00 feet, more or less, to the point of beginning.</p>

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PARCEL ACREAGE	Approximately 1.25 acres
LOCATION	West of the intersection of Homestead Street and Concourse Drive
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District and City sewer and water
DATE OF APPLICATION	1/26/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street be approved with the following stipulations:

1. Prior to Planning Commission approval, the construction plans shall be revised to show street light conduit;
2. The request to waive sewer along this section of Homestead Street is hereby granted;
3. Prior to Planning Commission approval, the grading limits shall be shown to determine right-of-way and easement limits;
4. 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;
5. Prior to Planning Commission approval, construction details of the box culvert shall be submitted for review and approval. In addition, a drainage easement for the box culvert shall be recorded at the Register of Deed's Office as needed; and,
6. Prior to Planning Commission approval, the construction plans shall be revised to show the water main within the H Lot or a water main easement shall be recorded at the Register of Deed's Office.

GENERAL COMMENTS:

(Update, February 23, 2007. All revised and/or added text is shown in bold print.)
This item was continued at the February 22, 2007 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted. Staff will notify the Planning Commission at the March 8, 2007 Planning Commission meeting if this requirement has not been met. Please note that no other part of this Staff Report has been revised.

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The applicant has submitted a SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street for approximately 700 feet of Homestead Street located west of Concourse Drive. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install street light conduit and sewer along this same section of Homestead Street. The applicant has also submitted a Preliminary Plat to subdivide approximately 15.30 acres located at the western terminus of Homestead Street into 41 residential lots as Phase One of the Copperfield Vista Subdivision. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to provide easements across lots or centered on rear or side lot lines for utilities and drainage on 21 of the proposed lots. The applicant has also submitted an Initial and Final Planned Residential Development to construct 278 single family residential lots on 61.13 acres. In addition, the applicant has submitted an annexation petition to annex 81.03 acres. The applicant has also submitted a Rezoning request to change the zoning designation on 61.13 acres from No Use District to Low Density Residential District. (See companion items No. 07SV005, 07PL015, 07SV004, 07PD004, 07AN001, 07RZ008.)

On December 18, 2006, the City Council approved a Layout Plat to create 276 single family residential lots, 64 townhome lots and one multi-family lot. The Layout Plat included the subject property. In addition, the City Council approved a Variance to the Subdivision Regulations to allow a lot twice as long as it is wide. (See companion items No. 06PL177 and 06SV070.)

The property is located at the western terminus of Homestead Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Homestead Street: Homestead Street is identified on the City's Major Street Plan as a collector street requiring that it be located in a minimum 76 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit and water. The applicant has submitted construction plans showing the street designed as required with the exception of street light conduit and sewer. The profile of the street identifies that a lift station would be required in order to sewer along this section of Homestead Street. In addition, the construction plans submitted with the associated Preliminary Plat identify that Copperfield Vista Subdivision will be sewered from the south. As such, staff is recommending that the request to waive sewer along this section of Homestead Street be granted.

The requirement to install street light conduit does not require that street lights be set. In order to insure that street lights may be set along the street in the future if needed, staff is recommending that prior to Planning Commission approval, the construction plans be revised to provide street light conduit.

Red Line Comments: Staff is recommending that prior to Planning Commission approval, all

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necessary changes be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings must be returned to the Growth Management Department. Staff is also recommending that prior to Planning Commission approval, details of the box culvert be submitted for review and approval. In addition, a drainage easement for the box culvert must be recorded at the Register of Deed's Office as needed. The construction plans must also be revised to show the water main within the H Lot or a water main easement must be recorded at the Register of Deed's Office.

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