

STAFF REPORT  
March 8, 2007

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**No. 07SR013 - SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street ITEM 13**

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GENERAL INFORMATION:

PETITIONER	Boschee Engineering for OTS, Inc.
REQUEST	<b>No. 07SR013 - SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street</b>
EXISTING LEGAL DESCRIPTION	SW1/4 SW1/4, W1/2 SE1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.0 acres
LOCATION	At the southern terminus of Nugget Gulch Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/9/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

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.

GENERAL COMMENTS: 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 400 feet of Nugget Gulch Drive located south of Catron Boulevard. The applicant has also submitted a Preliminary Plat (06PL178) to subdivide approximately 16 acres into 42 residential lots as part of the Catron Crossing Subdivision. On August 16, 2000, the City Council approved an amendment to the Street Design Criteria Manual stating that "...a street shall not provide exclusive access to more than forty (40) dwelling units. A second street access shall be provided when more than forty (40) dwelling units are exclusively accessed from a street". One of the stipulations for approval of the Preliminary Plat requires that prior to Preliminary Plat approval by City Council, the plat document shall be revised to

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provide a second street connection to the subject property as a part of the development or the right-of-way must be dedicated as an "H" Lot on a separate plat document or an Exception to allow 51 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual must be obtained. The proposed acquisition of street right-of-way and construction of this portion of Nugget Gulch Drive will provide the required second street connection to the subject property. The applicant has also submitted Rezoning requests (07RZ004 and 07RZ005) to change the zoning designations on the subject property from General Agricultural District and General Commercial District to Low Density Residential District.

On August 7, 2006 City Council approved a Layout Plat (06PL089) for the subject property with the following stipulations:

1. Prior to Layout Plat approval by Planning Commission, topographic information shall be provided to show that the proposed roads will not exceed the Street Design Criteria Manual requirements;
2. Prior to Preliminary Plat approval by the City Council, the Comprehensive Plan Amendment to the Major Street Plan relocating the street as proposed be approved or the plat document must be revised accordingly;
3. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;
4. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. If on-site detention is required, then design calculations and details for the detention shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary;
5. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the sewer plans must demonstrate adequate capacity of the downstream wastewater system;
6. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the water system shall be constructed and designed to provide adequate fire and domestic flows. In addition, the plat document shall be revised to show utility easement(s) as needed;
7. Upon submittal of a Preliminary Plat, road construction plans for Nugget Gulch Road be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface with parking on one side of the street, curb, gutter, sidewalk, street light conduit and water;
8. Upon submittal of a Preliminary Plat application, road construction plans for Bendt

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- Drive shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, a turnaround shall be provided at the end of Bendt Drive;
9. Upon submittal of a Preliminary Plat application, road construction plans for Prospect Drive shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  10. Upon submittal of a Preliminary Plat application, road construction plans for Pick Ax Road shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  11. Upon submittal of a Preliminary Plat application, the plat document be revised to provide a second street connection to the subject property as a part of the development or the right-of-way must be dedicated as an "H" Lot on a separate plat document or an Exception to allow 49 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual must be obtained;
  12. Upon submittal of a Preliminary Plat application, road construction plans for the section line highway must be submitted for review and approval, or a Variance to the Subdivision Regulations must be obtained, or the portion of the section line highway that abuts the subject property shall be vacated;
  13. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design and recommendations for large and deep embankment areas must be submitted for review and approval;
  14. Prior to Layout approval by Planning Commission, a master plan for the area shall be submitted for review and approval showing all utilities, streets, sewer basins, water pressure zones, and future street connections;
  15. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval; and,
  16. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

The property is located south of Catron Boulevard and east of Sheridan Lake Road and is currently void of any structural development.

**STAFF REVIEW:**

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

**Nugget Gulch Drive:** Nugget Gulch Drive is identified on the City's Major Street Plan as a collector street requiring that it be located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface with parking on one side of the street, curb, gutter, sidewalk, street light conduit and water. Staff has reviewed the

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construction plans for the proposed street and noted that the plans meet the minimum requirements for construction of a collector street.

Sewer: Staff reviewed and approved the submitted sewer plans that showed the extension of sewer mains along Nugget Gulch Drive for the proposed project. The submitted sewer plans are shown to be constructed in accordance with City specifications.

Water: Staff reviewed and approved the submitted water plans that showed the extension of water mains along Nugget Gulch Drive for the proposed project. The submitted water plans are shown to be constructed in accordance with City specifications.

Drainage: Staff reviewed and approved the submitted grading plan and erosion and sediment control plan for all proposed disturbed areas along Nugget Gulch Drive. The submitted grading plan and erosion and sediment control plan is in compliance with the Rapid City Drainage Criteria Manual and the City of Rapid City Standard Specifications for Public Works Construction, 2004 Edition.

Air Quality Permit: Staff noted that if the area of disturbance exceeds one acre, an Air Quality Permit must be obtained.

Staff is recommending that the SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street be approved to provide the required second street connection to the subject property.