

STAFF REPORT
January 10, 2008

No. 07SR057 - SDCL 11-6-19 Review to allow the extension of Disk Drive **ITEM 18**

GENERAL INFORMATION:

APPLICANT	Steve Zellmer for GCC Dakotah
AGENT	Gary Renner for Renner & Associates, LLC
PROPERTY OWNER	GCC Dacotah
REQUEST	No. 07SR057 - SDCL 11-6-19 Review to allow the extension of Disk Drive
EXISTING LEGAL DESCRIPTION	A portion of the Interstate 90 Right-of-way located in the S1/2 NE1/4, and the unplatted portions lying north of Interstate 90, located in the SW1/4 NE1/4 and the E1/2 NW1/4, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.8 acres
LOCATION	North of Interstate 90 and west of West Boulevard North and Bunker Drive
EXISTING ZONING	General Agriculture District - Park Forest District - Medium Density Residential District - Suburban Residential District (Pennington County) - Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County) - Limited Agriculture District (Pennington County)
South:	Low Density Residential District - General Agriculture District
East:	Low Density Residential District - Medium Density Residential District
West:	General Agriculture District
PUBLIC UTILITIES	Public
DATE OF APPLICATION	11/9/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the extension of Disk Drive be denied without prejudice at the request of the applicant.

STAFF REPORT
January 10, 2008

No. 07SR057 - SDCL 11-6-19 Review to allow the extension of Disk Drive **ITEM 18**

GENERAL COMMENTS:

(Update December 27, 2007. All revised text is shown in bold.) On December 20, 2007 the applicant met with members of the Growth Management staff and staff from the South Dakota Department of Transportation. At this meeting the applicant agreed to work in conjunction with the South Dakota Department of Transportation to identify a preliminary alignment for the extension of Disk Drive between Howard Street and Deadwood Avenue north of Interstate 90. In addition staff noted that platting of property may be required based on the final design. The applicant has requested that this item be denied without prejudice.

The applicant has submitted an SDCL 11-6-19 request to allow the extension of Disk Drive. The property is located north of Interstate 90, and west of the terminus of Disk Drive. The property is currently void of any structural development. The applicant is proposing to extend Disk Drive a distance of 3,400 feet with the majority of the proposed street being located within the Interstate 90 right-of-way. The property is currently zoned General Agricultural District, Medium Density Residential District, Park Forest District, Suburban Residential District (Pennington County), and Limited Agricultural District (Pennington County).

South Dakota Codified Law 11-6-19 states: Whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, 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 as defined in § 11- 6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission.

STAFF REVIEW:

Staff has scheduled a meeting with the applicant to discuss platting issues associated with the applicant's request. In addition staff has noted that the applicant must obtain approval from the South Dakota Department of Transportation to allow this proposed street extension within the Interstate 90 right-of-way. As of this writing, staff is trying to schedule a meeting with the applicant. Staff recommends that this item be continued to the January 10, 2008 Planning Commission meeting to allow staff and the applicant time to meet and discuss platting issues associated with the applicant's request.