

STAFF REPORT
March 5, 2009

No. 09SR012 - SDCL 11-6-19 Review to expand East Mall Drive between Tish Boulevard and Dyess Avenue **ITEM 34**

GENERAL INFORMATION:

APPLICANT	North Street Fire Station, LLC
AGENT	Ferber Engineering Co., Inc.
PROPERTY OWNER	N/A
REQUEST	No. 09SR012 - SDCL 11-6-19 Review to expand East Mall Drive between Tish Boulevard and Dyess Avenue
EXISTING LEGAL DESCRIPTION	Lot H5 located in the SE1/4 north of Interstate 90, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6 Acres
LOCATION	East Mall Drive between Tish Boulevard and Dyess Avenue
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	2/6/2009
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to expand East Mall Drive between Tish Boulevard and Dyess Avenue be approved if the following additional information is submitted:

1. Prior to Planning Commission approval, all redline comments made on the construction plans shall be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department; and,
2. Prior to Planning Commission approval, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval.

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GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to allow the expansion of East Mall Drive in the public right-of-way between Tish Boulevard and Dyess Avenue from the existing three-lane street to a five-lane street.

On October 6, 2008, the City Council approved a Layout Plat (#08PL126) for the property adjacent to East Mall Drive on the north with the following stipulations:

1. Upon submittal of a Preliminary Plat application, a drainage and grading plan, must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary;
2. Upon submittal of the Preliminary Plat application, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;
3. Upon submittal of the Preliminary Plat application, water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
4. Upon submittal of the Preliminary Plat application, road construction plans for East Mall Drive shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
5. Upon submittal of the Preliminary Plat application, road construction plans for East North Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
6. Upon submittal of the Preliminary Plat application, road construction plans for Dyess Avenue shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
7. Upon submittal of the Preliminary Plat application, the plat document shall be revised to show the required non-access easements except at the approved approach locations;
8. Upon submittal of the Preliminary Plat application, a revised road name shall be submitted for review and approval for East North Street;
9. Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;
10. Prior to Preliminary Plat approval by City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted

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- for review and approval;
11. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees be paid as required;
 12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 13. The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

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". As previously indicated the proposed construction is on publicly owned land requiring that the Planning Commission review and approve the proposed construction.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

East Mall Drive: East Mall Drive is classified as a principal arterial street requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, water and sewer. Staff also noted that on July 21, 2008, Tax Increment District #69 was approved by City Council for the North Street Fire Station that included this portion of East Mall Drive. The street is currently located in a minimum 100 foot wide right-of-way and is constructed with three 12 foot wide paved lanes, curb, gutter, street light conduit, water and sewer. However, a Preliminary Design Report for East Mall Drive completed by Ferber Engineering determined that the ultimate section for East Mall Drive at this location should be 80 feet in width. As such, the applicant has submitted construction plans for review and approval in accordance with the Preliminary Design Report for East Mall Drive. Staff has reviewed the construction plans and is recommending that prior to Planning Commission approval, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department.

Drainage: A grading plan and drainage plan that was submitted for review and approval as part of this application appears to comply with the requirements of the Rapid City Drainage Criteria Manual.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment

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control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending that prior to approval by the Planning Commission, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

Staff finds that the location and extent of the proposed street expansion is in compliance with the adopted Comprehensive Plan and adopted regulations. As such, staff recommends that the SDCL 11-6-19 Review to expand East Mall Drive be approved if the above noted information is submitted.