

STAFF REPORT
May 21, 2009

No. 09SR041 - SDCL 11-6-19 Review to widen public streets, to extend public utilities and to construct drainage improvements **ITEM 32**

GENERAL INFORMATION:

APPLICANT/AGENT	Public Works Department for City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	No. 09SR041 - SDCL 11-6-19 Review to widen public streets, to extend public utilities and to construct drainage improvements
EXISTING LEGAL DESCRIPTION	Rights-of-way for 44th Street, west Main Street and 43rd Court adjacent to the following: Lot 41 Pinedale Addition, Block 4, Section 5, T1N, R7E, Lot 43 Brookside Subdivision No. 2, Block 12, Section 4, T1N, R7E, Lot 1 Brookside Subdivision No. 2, Block 12, Section 4, T1N, R7E, Lot 48 Revised Pinedale Addition, Block 1, Section 5, T1N, R7E, Lot 1 Revised Pinedale Addition, Block 1, Section 5, T1N, R7E, Lot 1 Brookside Subdivision No. 2, Block 14, Section 4, T1N, R7E, Drainage Easement Brookside Subdivision No. 2, Block 14, Section 4, T1N, R7E, Lot 3 Sunrise Heights, Block 7, Section 32, T2N, R7E, Lot 2 Sunrise Heights, Block 7, Section 32, T2N, R7E, Lot 1 Sunrise Heights, Block 7, Section 32, T2N, R7E, Lot 8 Brookside Subdivision No. 2, Block 13, Section 4, T1N, R7E, Lot 47 of Acre Tract Subdivision, Section 33, T2N, R7E, all in BHM, Rapid City, Pennington County, South Dakota; In addition within existing easements: Lot 3 Sunrise Heights, Block 7, Section 32, T2N, R7E, Lot 2 Sunrise Heights, Block 7, Section 32, T2N, R7E, Drainage Easement Brookside #2, Block 14, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	44th Street, West Main Street and 43rd Court
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District - Low Density Residential District (Planned Residential Development)
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water

STAFF REPORT
May 21, 2009

No. 09SR041 - SDCL 11-6-19 Review to widen public streets, to extend public utilities and to construct drainage improvements **ITEM 32**

DATE OF APPLICATION 5/6/2009
REVIEWED BY Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to widen public streets, to extend public utilities and to construct drainage improvements be approved if a Floodplain Development Permit is obtained prior to Planning Commission approval of this item.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to reconstruct a portion of 44th Street and W. Main Street, to reconstruct sewer and water mains along the two streets and to place double box culverts within a drainage easement located in the northwest corner of the intersection of 44th Street and W. Main Street. In particular, the applicant is proposing to reconstruct 44th Street from Ridgewood Street to approximately 250 feet north of W. Main Street and to reconstruct W. Main Street from approximately 100 feet west of 44th Street to South Canyon Road.

South Dakota Codified Law 11-6-19 states that “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”. The request to reconstruct the public streets and public utilities on public property and to improve the drainage are all public improvements. In addition, the property is identified 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 Review and has noted the following considerations:

Construction Plans: The Street Design Criteria Manual identifies 44th Street and that portion of W. Main Street located east of 44th Street as minor arterial streets. In addition, the Street Design Criteria Manual identifies that portion of W. Main Street located west of 44th Street as a collector street. The construction plans show the two streets being reconstructed with a 36 foot wide paved surface, curb, gutter, street light conduit and an 8 inch sewer main. In addition, a 14 inch water main will be constructed along W. Main Street and along 44th Street located north of the intersection of W. Main Street. A 10 inch water main will be constructed along 44th Street located south of the intersection of W. Main. A sidewalk will be provided along the west side of 44th Street and the north side of W. Main Street. A bike path will be constructed along the east side of 44th Street and the south side of W. Main Street as per the City’s adopted Bike Path Plan.

STAFF REPORT
May 21, 2009

No. 09SR041 - SDCL 11-6-19 Review to widen public streets, to extend public utilities and to construct drainage improvements **ITEM 32**

Exceptions have been approved to allow curb side sidewalks and to allow water to be located under the pavement. With the granted Exceptions, the proposed construction plans are in compliance with the design standards for an arterial street and a collector street, respectively. Staff has reviewed and approved the construction plans as submitted.

Drainage: Currently, twin 48 inch culverts are located within a drainage easement on property located in the northwest corner of the intersection of W. Main Street and 44th Street. The applicant is proposing to replace the culverts with a double 9 foot by 8 foot box culvert. The applicant has submitted a drainage plan demonstrating compliance with the City's Drainage Criteria Manual. In addition, the improvements will be located within the existing drainage easement. As such, staff has reviewed and approved the drainage improvement(s) as proposed.

Floodplain: The property is located within the 100 year Federally designated Floodplain. As such, prior to Planning Commission approval, a Floodplain Development Permit must be obtained.

Permits: The applicant has obtained a Grading Permit and an Erosion and Sediment Control Permit. An Air Quality Permit must be obtained from the City prior to any surface disturbance of one or more acres. In addition, a Permit to Work in the Right-of-way must be obtained as needed prior to the start of construction.

The location and extent of the proposed reconstruction of 44th Street and W. Main Street, the proposed reconstruction of sewer and water mains along the two streets and the construction of double box culverts are consistent with the adopted Comprehensive Plan and the related regulations. As such, staff will recommend that the SDCL 11-6-19 Review be approved if a Floodplain Development Permit is obtained prior to Planning Commission approval of this item.