

STAFF REPORT

July 9, 2009

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**No. 09SR058 - SDCL 11-6-19 review to construct street improvements in public right-of-way ITEM 16**

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GENERAL INFORMATION:

APPLICANT	City of Rapid City
AGENT	FMG, Inc.
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 09SR058 - SDCL 11-6-19 review to construct street improvements in public right-of-way</b>
EXISTING LEGAL DESCRIPTION	Lots 1, 13, 14 of Block 2 of South Robbinsdale Addition, Lots 1 and 18 thru 25 of Block 4 of South Robbinsdale Addition, Lot 17 and the west half of the Lot 15 except for the south 79.1 feet of Block 4 of South Robbinsdale Addition, the south 79.1 feet of the west half of Lot 15 and all of the Lot 16 of Block 4 of South Robbinsdale Addition, all located in Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 1 thru 5 and 18 thru 22 and the adjacent vacated alley of Block 24 of South Park Addition, Lots 1 thru 9 of Block 1 of Robbinsdale Terrace Addition, Lots 10 and a portion of the east half of Lot 12 of Block 1 of Robbinsdale Terrace Addition, Lots 11 and the east 35 feet of the south 80 feet of Lot 12 of Block 1 of Robbinsdale Terrace Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	Elm Avenue right-of-way between East Meade Street and East Oakland Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/12/2009
REVIEWED BY	Travis Tegethoff / Karley Halsted

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#### RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 review to construct street improvements in public right-of-way be approved.

#### GENERAL COMMENTS:

The City of Rapid City has submitted SDCL 11-6-19 Review to reconstruct approximately 1,150 feet of Elm Avenue with additional paving, installation of street lights, installation of a bike path, installation of water and sewer mains and services and new storm sewer in the public right-of-way between East Meade Street and East Oakland Street.

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". The proposed construction is a public street 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:

Elm Avenue: Construction plans prepared by a Registered Professional Engineer showing the reconstruction of Elm Avenue between East Meade Street and East Oakland Street in the public right-of-way have been submitted for review and approval. Staff noted that the proposed construction appears to be in accordance with City Standards.

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 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. An Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual has been submitted for review and appears to be in accordance with City Standards.

Landscaping: Staff noted that the landscape plans have yet to determine the installation of sod or rock in the areas between the sidewalk or bike path and the street. However, the contractor must install sod in this area to discourage vehicles from being parked in this area in violation of the Rapid City Municipal Code.

Staff finds that the location and extent of the proposed street improvements appear to be in compliance with the adopted Comprehensive Plan and adopted regulations. As such, staff recommends that the SDCL 11-6-19 Review to reconstruct Elm Avenue be approved.