

STAFF REPORT
February 4, 2010

No. 10SR001 - SDCL 11-6-19 Review to authorize the relocation of a street **ITEM 24**

GENERAL INFORMATION:

APPLICANT	Greg Amble for Good Samaritan Society
AGENT	FMG, Inc.
PROPERTY OWNER	Good Samaritan Society and Benedictine Convent of St. Martins
REQUEST	No. 10SR001 - SDCL 11-6-19 Review to authorize the relocation of a street
EXISTING LEGAL DESCRIPTION	Lot H1 located in the SE1/4, Lot H1 in the SW1/4 and Lot H1 in the NE1/4 of the NE1/4 of the SW1/4, all in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.65 acres
LOCATION	West of S.D. Highway 79 (Sturgis Road) and Hidden Valley Road
EXISTING ZONING	General Agriculture District - Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential District - General Agriculture District - Medium Density Residential District (Planned Residential Development)
South:	General Agriculture District - Low Density Residential District (Planned
East:	Low Density Residential District
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/8/2010
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to authorize the relocation of a street be approved.

STAFF REPORT
February 4, 2010

No. 10SR001 - SDCL 11-6-19 Review to authorize the relocation of a street **ITEM 24**

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to relocate a portion of St. Martins Drive as it extends through the applicant's property. In particular, the SDCL 11-6-19 Review includes authorizing the acceptance of three H Lots for the alternate street location and the construction of the street. In addition, the applicant has submitted a Vacation of Right-of-way request (File #10VR001) to vacate approximately 3,000 linear feet of the existing St. Martin's Drive right-of-way located north of the intersection of Jake Road and St. Martins Drive.

A previously submitted Final Residential Development Plan (File #09PD053) to allow Phase One of the "Good Samaritan St. Martin Senior Living Campus" to be constructed on the property has been continued to the March 3, 2010 Planning Commission meeting to allow the applicant to address outstanding issues. The applicant has indicated that the development will be constructed in five phases and is intended to provide a senior citizen campus with a wide range of living options. Phase One will include constructing 100 one story townhomes with attached garages and constructing the utilities and roads to serve the townhomes.

On October 25, 2007, the Planning Commission approved an Initial Residential Development Plan (#07PD075) for all five phases to allow an assisted living center, a skilled care facility, a retreat center, a townhome development and an apartment complex to be constructed on the property.

On November 5, 2007, the City Council approved a Comprehensive Plan Amendment to the Major Street Plan (#07CA042) to eliminate collector streets extending through the property. In addition, the City Council approved a Rezoning request (#07RZ064) to change the zoning designation of the property from General Agriculture District to Medium Density Residential District.

The property is located west of S.D. Highway 79, also known as Sturgis Road, and south of Hidden Valley Road. Saint Martin's Drive, extending west from Sturgis Road and City Springs Road, extending from the south, provide access to the site. Currently, the property is void of any structural development.

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 relocate a public street is a public improvement. 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 REPORT
February 4, 2010

No. 10SR001 - SDCL 11-6-19 Review to authorize the relocation of a street **ITEM 24**

STAFF REVIEW:

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

St. Martins Drive: St. Martins Drive right-of-way extends through the property from City Springs Road north to Sturgis Road. To date, the southern portion of the St. Martins Drive right-of-way has not been constructed. The site plan submitted with the associated Final Residential Development Plan identifies several townhomes to be constructed within the undeveloped portion of the right-of-way. The applicant has, subsequently, submitted a request to vacate approximately 3,000 feet of the St. Martins Drive right-of-way. In addition, the applicant has submitted this SDCL 11-6-19 Review to relocate the southern portion of the street securing an alternate street connection through the property to City Springs Road. In particular, the SDCL 11-6-19 Review includes authorizing the acceptance of three H Lots for the alternate street location and the construction of the street.

St. Martins Drive extends through the property and is classified as a collector street on the City's Major Street Plan. The applicant has submitted construction plans showing the street located within a 100 foot wide right-of-way and constructed with a 24 foot wide paved surface, standard curb and gutter and a sidewalk along the east side of the street. In addition, the street will be posted "no parking". This meets the design standards reviewed and approved as a part of the Initial Residential Development Plan. In addition, the street has been designed with several curves and separated lanes at the south end of the street and at the intersection with St. Martins Circle to serve as traffic calming devices.

Staff recommends that the street be constructed in compliance with the approved construction plans.

Oversize Costs: The applicant should be aware that a request for reimbursement of oversize costs must be submitted to the Public Works Department prior to the start of construction.

H Lot: The applicant should be aware that once this SDCL 11-6-19 Review is approved to relocate the right-of-way, a request must be submitted to the Public Works Committee and, subsequently, the City Council for authorization to prepare an H-Lot and to authorize acceptance of the deed.

Floodplain: A portion of the property is located within the 100 year Federally designated Floodplain. However, the proposed relocated street is outside of the 100 year Federally designated Floodplain. As such, a Floodplain Development Permit is not needed for the construction of the street.

Permits: An Air Quality Permit must be obtained from the City prior to any surface disturbance of one or more acres. A Stormwater Quality Management Plan in accordance with the adopted Stormwater Quality Manual must also be obtained prior to the start of construction. A Permit to Work in the Right-of-way must be obtained as needed prior to the start of construction.

STAFF REPORT
February 4, 2010

No. 10SR001 - SDCL 11-6-19 Review to authorize the relocation of a street **ITEM 24**

The location and extent of the proposed relocated street and the request to authorize the relocation of a right-of-way is consistent with the adopted Comprehensive Plan and the related regulations. As such, staff recommends that the SDCL 11-6-19 Review be approved.