

STAFF REPORT
February 18, 2010

No. 10SR005 - SDCL 11-6-19 Review to authorize the acquisition of property **ITEM 17**

GENERAL INFORMATION:

APPLICANT	Rapid City Economic Development Foundation
AGENT	FourFront Design, Inc.
PROPERTY OWNER	Rapid City Economic Development Foundation
REQUEST	No. 10SR005 - SDCL 11-6-19 Review to authorize the acquisition of property
EXISTING LEGAL DESCRIPTION	Lot 3 of Block 5 of Rushmore Regional Industrial Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, a portion of the Government Lot 2 less Rushmore Business Park less Lots H7, H8 and right-of-way, the west 660 feet of the Government Lot 1 less Rushmore Business Park and less Lots H6 and H8, the north 1,081.18 feet of the SW1/4 NE1/4 less Rushmore Business park less Lots H4 and H9 less right-of-way, the west 660 feet of the north 1,081.18 feet of the SE1/4 NE1/4 less Rushmore Business Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, A portion of the Government Lot 2 less Rushmore Business Park less Lots H7, H8 and right-of-way, the west 660 feet of the Government Lot 1 less Rushmore Business Park and less Lots H6 and H8, the north 1,081.18 feet of the SW1/4 NE1/4 less Rushmore Business Park less Lots H4 and H9 less right-of-way, the west 660 feet of the north 1,081.18 feet of the SE1/4 NE1/4 less Rushmore Business Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, Lot 3 of Block 5 of Rushmore Regional Industrial Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, Lot H2 located in the unplatted portion of the SW1/4 NE1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, Lot H1 including a portion of Government Lot 2 and a portion of the SW1/4 NE1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 22.2 acres
LOCATION	Located south of East Anamosa and west of Concourse Drive and north of Lancer Drive

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EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Commercial District
East:	Light Industrial District
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water and Rapid Valley Sanitary District
DATE OF APPLICATION	1/22/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to authorize the acquisition of property be approved.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to authorize the acquisition of three drainage lots. The property is currently owned by the Rapid City Economic Development Foundation. The applicant is proposing to transfer ownership of the property to the City of Rapid City. The total acreage of the three parcels is 22.2 acres.

The applicant is proposing to create H Lots for the two northern parcels. The third parcel is currently a platted lot. On February 1, 2010, the City Council authorized the preparation of the H Lots and the submittal of this SDCL 11-6-19 Review application.

The property is located south of East Anamosa, west of Concourse Drive and north of Lancer Drive. Currently, regional drainage facilities exist on each of the parcels.

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 request to authorize acquisition of three drainage lots will result in land becoming public property. In addition, the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvement be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

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

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Drainage: As previously indicated, regional drainage facilities currently exist on each of the parcels in compliance with the Unnamed Tributary Drainage Basin Design Plan. In particular, Conveyance Element 1 has been constructed on the northern lot. In addition, Conveyance Element 100 has been constructed on the middle lot and Conveyance Element 101 has been constructed on the southern lot.

Since the drainage improvements are regional drainage facilities constructed in compliance with the Unnamed Tributary Drainage Basin Design Plan, staff recommends that the SDCL 11-6-19 Review to authorize the acquisition of the drainage lots be approved.

City Council: As previously indicated, on February 1, 2010, the City Council authorized the preparation of the H Lots and the submittal of this SDCL 11-6-19 Review application. A separate request to authorize the acceptance of the deeds will need to be submitted for consideration by the City Council.

The location and extent of the request to authorize the acquisition of the drainage lots is consistent with the adopted Comprehensive Plan and the related regulations. As such, staff recommends that the SDCL 11-6-19 Review to authorize the acquisition of the property be approved.