

STAFF REPORT  
October 5, 2006

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**No. 06SV057 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and sewer; to reduce pavement width from 22 feet to 12 feet; and the right-of-way width from 47 feet to 12 feet as per Chapter 16.16 of the Rapid City Municipal Code**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 06SV057 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and sewer; to reduce pavement width from 22 feet to 12 feet; and the right-of-way width from 47 feet to 12 feet as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	The unplatted portion of the N1/2 SW1/4, SE1/4 NE1/4 SW1/4 SW1/4, SE1/4 NE1/4, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.5 acres
LOCATION	Skyline Ranch Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Park Forest District
West:	Park Forest District
PUBLIC UTILITIES	City water and private on-site wastewater
DATE OF APPLICATION	9/8/2006
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's request to withdraw the Variance to the Subdivision Regulations to reduce the right-of-way width from 47 feet to 12 feet;

That the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and sewer be approved;

That the Variance to the Subdivision Regulations to reduce the pavement width from 22 feet to 12

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feet along the access street be denied.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to reduce the right-of-way width from 47 feet to 12 feet, to reduce the pavement width from 22 feet to 12 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit and sewer along an access easement as it abuts the subject property. In addition, the applicant has submitted a Layout Plat to subdivide the subject property, a 7.6 acre unplatted parcel, into one lot. (See companion item #06PL148.)

The property is located approximately 3,550 feet east of the intersection of Skyline Ranch Road and Tower Road at the western terminus of Skyline Ranch Road. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Variance to the Subdivision Regulations and has noted the following considerations:

Access: The applicant has submitted a site plan showing that an existing access road is located through the northeast corner of the subject property. The street is classified as a sub-collector street requiring that it be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or the street must be located in a minimum 47 foot wide right-of-way and constructed with a minimum 22 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. If on-street parking is not provided, the developer must provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs or an Exception to the Street Design Criteria Manual must be obtained to waive visitor parking. (Please note that the applicant has submitted an Exception request to waive the requirement to provide visitor parking.)

The applicant had originally requested to reduce the right-of-way and/or easement width for the access street from 47 feet to 12 feet. However, on September 27, 2006, the applicant requested that this item be withdrawn. As such, staff is recommending that the Planning Commission acknowledge the applicant's request to withdraw the Variance to the Subdivision Regulations to reduce the right-of-way width from 47 feet to 12 feet.

Currently, the access street is constructed with an approximate 12 foot wide paved surface. In addition, the street is an approximate 3,550 foot long cul-de-sac street. Staff has noted that the property is located in a high wild fire hazard area. The Fire Department has indicated that a minimum 20 foot wide paved surface is needed in order to provide fire apparatus access to the area. In particular, the Fire Department has indicated that during times of a fire and/or any other catastrophe such as a flood, a minimum 20 foot wide paved

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street with turnarounds is needed to accommodate the emergency vehicle traffic and residential traffic. As such, staff is recommending that the Variance to the Subdivision Regulations to reduce the pavement width from 20 feet to 12 feet be denied.

To date, curb, gutter, sidewalk, street light conduit and sewer have not been constructed along the street. Requiring the improvements along this portion of the street, as it extends across the subject property, would create a discontinuous street design. In addition, the applicant has demonstrated that the ditches along the street will accommodate drainage. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and sewer be approved.

The applicant should be aware that currently City water has not been extended to the north lot line of the subject property. As such, a stipulation of the associated Layout Plat requires that water plans be submitted for review and approval showing the extension of water to the north lot line as required or a Variance to the Subdivision Regulations must be obtained. This Variance to the Subdivision Regulations application request did not include waiving the requirement to install water.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the October 5, 2006 Planning Commission meeting if this requirement is not met.