

STAFF REPORT
January 4, 2007

No. 06SV076 - A Variance to the Subdivision Regulations to waive the requirement to pave Jake Road to City Street Design Standards as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 47

GENERAL INFORMATION:

PETITIONER	Joel Brannan
REQUEST	No. 06SV076 - Variance to the Subdivision Regulations to waive the requirement to pave Jake Road to City Street Design Standards as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lots 1 and 2 of Tract L of Gray's Subdivision, Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 acres
LOCATION	5141 and 5160 Jake Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (Pennington County)
East:	Low Density Residential District - Low Density Residential District (Planned Commercial Development)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City water and private on-site wastewater
DATE OF APPLICATION	12/8/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to pave Jake Road to City Street Design Standards as per Chapter 16.16 of the Rapid City Municipal Code be denied.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to pave Jake Road as it abuts the subject property.

On May 21, 2001, the City Council approved a Final Plat to subdivide the subject property into two lots. In addition, the City Council approved a Variance to the Subdivision

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Regulations to waive the requirement to improve the section line highway located west of Jake Road, along the north side of the subject property, and to waive the requirement to improve Jake Road with the stipulation that Jake Road be paved to City standards. (See associated file numbers 00PL136 and 01SV002.)

The property is located west and south of the intersection of City Springs Road and Jake Road on the south side of Jake Road. Currently, a single family residence is located on Lot 1 and Lot 2, respectively.

STAFF REVIEW:

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

Jake Road: Jake Road is located along the north lot line of the subject property and is classified as a lane place street requiring a minimum 20 foot wide paved surface. The east-west leg of the street is located in a section line highway. The north-south leg of the street is located in an access easement. The applicant is proposing to construct the street with four inch thick recycled asphalt over an existing six inch thick limestone base course and sealed with an emulsion seal coat. However, the proposed design does not meet City's minimum pavement standards.

Constructing the street as proposed will, over time, result in additional maintenance of the street and/or create safety issues along the street. That portion of the street located in the section line highway must be maintained by the City at the cost of the tax payers. In addition, the City Council has previously reviewed and denied this request. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to improve Jake Road be denied.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the January 4, 2007 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.