

STAFF REPORT

March 25, 2004

No. 04SR006 - 11-6-19 SDCL Review to allow construction of a driveway in public right-of-way **ITEM 69**

GENERAL INFORMATION:

PETITIONER	Dave Olson for Sidney and Jenifer Nachtigall
REQUEST	No. 04SR006 - 11-6-19 SDCL Review to allow construction of a driveway in public right-of-way
EXISTING LEGAL DESCRIPTION	The right-of-way located west of Lot 12, Block 6, Rapid Valley Subdivision, Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.33 acres
LOCATION	2501 E. St. Francis Street
EXISTING ZONING	Right-of-Way
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	02/26/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to construct a driveway in a public right-of-way be approved with the following stipulations:

1. The driveway shall be constructed with a minimum 20 foot wide graveled surface and a minimum four inch gravel thickness. In addition, sewer and water mains shall be extended in the Pecan Lane right-of-way;
2. Prior to the start of construction, sewer and water plans shall be submitted for review and approval;
3. Any disturbance of the existing Pecan Lane surface for the installation of utilities shall be replaced with a minimum four inch gravel surface;
4. Pecan Lane and E. St. Francis Street shall remain open during utility installation; and,
5. The road shall be maintained in a dust free manner at all times.

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GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to construct an approximate 140 foot long driveway in a portion of the Pecan Lane right-of-way. The applicant has indicated that the driveway will serve as access to a future single family residence to be located on Lot 1 of Long Acre Square Subdivision located at the southern terminus of Pecan Lane.

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 driveway is to be located within public right-of-way and the property is identified as a part of the Rapid City Comprehensive Plan requiring that the proposed driveway be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

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

Road Construction Plans: To date, the southern 140 feet of Pecan Lane as it extends south from E. St. Francis Street has not been constructed. The applicant is proposing to construct the street as an 18 foot wide street with a four inch graveled surface. The street is classified as a lane place street requiring a minimum 24 inch paved surface with curb, gutter, sidewalk, street light conduit, sewer and water. The applicant has indicated that the road will function as a driveway to a single family residence and, as such, is requesting that the City waive the requirement to construct the road to lane place street standards at this time.

The proposed driveway will serve as access to two residential lots. The lots are 1.8 acres and 9.5 acres in size respectively. The lots are currently zoned Suburban Residential District requiring a minimum lot size of 6,500 square feet allowing for additional subdivision. It is anticipated that the two existing lots will generate approximately 22 ADT (Average Daily Trips). In addition, the northern portion of Pecan Lane as well this portion of E. St. Francis Street are graveled streets. Requiring the southern 140 feet of Pecan Lane to be paved with curb, gutter, sidewalk, and street light conduit will result in a discontinuous pavement section. As such, staff is recommending that the proposed driveway be constructed as a 20 foot wide graveled road and maintained in a dust free manner at all times.

Currently, Rapid Valley Sanitary District sewer and water mains currently exist to the Pecan Lane/E. St. Francis Street intersection. Title 13, "Public Services and Utilities", of the Rapid City Municipal Code states that water and sewer service lines may not be constructed parallel within a public right-of-way. The service lines may be constructed perpendicular within the right-of-way to serve adjacent properties but not along the right-of-way. As such, staff is recommending that water and sewer mains be extended along the southern 140 feet of Pecan Lane. In addition, sewer and water construction plans must be submitted for review and approval prior to the start of construction.

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Comprehensive Plan: The Rapid City Comprehensive Plan identifies the appropriate land use for this area as residential. The construction of the road will serve as a driveway to a single family residence. Any future platting of the property will require that the road be constructed to City street design standards. Staff finds that the construction of the proposed road is consistent with the adopted Comprehensive Plan and recommends that the 11-6-19 SDCL Review be approved with the stipulations as outlined above.