

STAFF REPORT

June 24, 2004

No. 04SV034 - Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, sewer, pavement and water as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 12

GENERAL INFORMATION:

PETITIONER	Renner & Associates for Ray Palmer
REQUEST	No. 04SV034 - Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, sewer, pavement and water as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The SE1/4 of the NW1/4, a portion of the NE1/4 of the SW1/4 and a portion of Palmer Road in Section 14, located in the SE1/4 of the NW1/4, and NE1/4 of the SW1/4, Section 14, T2N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 7 of Block 1 and Tract 1, Palmer Subdivision, located in the SE1/4 of the NW1/4, and NE1/4 of the SW1/4, Section 14, T2N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 42.77 acres
LOCATION	Along Palmer Road off of Nemo Road
EXISTING ZONING	Limited Agriculture District - County
SURROUNDING ZONING	
North:	Limited Agriculture District - County
South:	Suburban Residential District - County
East:	Limited Agriculture District - County
West:	Limited Agriculture District - County
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	05/24/2004
REVIEWED BY	Renee Catron-Blair / Curt Huus

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, sewer, pavement and water as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulations:

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1. Upon submittal of a Preliminary Plat, revised road construction plans for Palmer Road shall be submitted for review and approval. The extension of Palmer Road shall be constructed to a minimum standard of the Pennington County Minor Local Road design. In particular, a 20 foot width road with 4 inches of gravel surfacing, 3:1 inslopes and backslopes shall be provided;
2. Upon submittal of a Preliminary Plat, a revised drawing showing the 75 foot diameter cul-de-sac turnaround bulb at the end of the proposed right-of-way shall be provided.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, sewer, pavement and water improvements along Palmer Road as they abut the subject property. In addition the applicant has submitted a Preliminary Plat to subdivide approximately 42 acres into two parcels. (See companion item #04PL071)

The subject property is located approximately 6 miles west of Rapid City north of Nemo Road on Palmer Road. The property mainly lies within the Pennington County subdivision jurisdiction boundary. Only a small portion of the subject property is located in the City of Rapid City's three mile platting jurisdiction.

STAFF REVIEW:

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

Palmer Road: Palmer Road is classified as a lane/place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Palmer Road is located in a 66 foot right-of-way with an approximate 29 foot wide graveled surface. The applicant has indicated that Palmer Road will be constructed in accordance with the Pennington County Specifications with a 20 foot width road with four inches of gravel surfacing, 3:1 inslopes and backslopes with a 75 foot diameter cul-de-sac turnaround bulb at the end of the proposed right-of-way. Only a small part of Palmer Road is located in the City of Rapid City's three mile platting jurisdiction. The Rapid City Planning Commission and Rapid City Common Council have granted subdivision variances to allow development to occur in accordance with County standards for developments that lie partially within the City's Subdivision jurisdiction. For this reason, staff recommends that the Variance to the Subdivision Regulations to waive improvements along Palmer Road be approved.

Access Easement: The access easement is classified as a lane/place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has indicated that the access easement will be constructed per Pennington County

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Specifications Standard with a 20 foot width road with 4 inches of gravel surfacing, 3:1 inslopes and backslopes. Again, the Rapid City Planning Commission and Rapid City Common Council have granted subdivision variances for properties that lie partially within the City's Subdivision jurisdiction. For this reason, staff is recommending that the Variance to the Subdivision Regulations to waive improvements along the access easement be approved.

LEGAL NOTIFICATION REQUIREMENT:

The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the June 24, 2004 Planning Commission meeting if this requirement is not met. Staff has received one telephone call, inquiring about this proposal.