STAFF REPORT
November 4, 2004

No. 04SV060 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement along Cavern Road as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 16

GENERAL INFORMATION:

PETITIONER	Daniel P. Wegner
REQUEST	**No. 04SV060 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement along Cavern Road as per Chapter 16.16 of the Rapid City Municipal Code**
EXISTING LEGAL DESCRIPTION	Lot 4 of Tract 2 Revised, Cavern Crest Subdivision, Section 11, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 4A and 4B of Tract 2 Revised, Cavern Crest Subdivision, Section 11, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 14.14 acres
LOCATION	2680 Cavern Road
EXISTING ZONING	Limited Agriculture District
SURROUNDING ZONING	
North:	Limited Agriculture District
South:	Limited Agriculture District
East:	Limited Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	10/08/2004
REVIEWED BY	Renee Catron-Blair / Curt Huus

RECOMMENDATION:

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

1. Prior to submittal of a Final Plat application, the applicant shall sign a waiver of right to protest any future assessments for the improvements along Cavern Road.

**No. 04SV060 - Variance to the Subdivision Regulations to waive the   ITEM 16
requirement to install curb, gutter, street light conduit, water,
sewer and pavement along Cavern Road as per Chapter 16.16 of
the Rapid City Municipal Code**

GENERAL COMMENTS:
   The applicant has submitted a Variance to the Subdivision Regulations to waive the
   requirement to install curb, gutter, street light conduit, water, sewer and pavement along
   Cavern Road as it abuts the subject property. In addition, the applicant has submitted a
   Layout Plat to subdivide a 14 acre lot into two lots, sized approximately six acres and eight
   acres respectively. (See companion item #04PL147.) The applicant has also submitted a
   Special Exception to allow more than four lots to access via an easement and a Special
   Exception to allow an approximate 2,500 foot long cul-de-sac with one intermediate
   turnaround in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds at
   intervals not exceeding 600 feet in extreme fire danger areas.

   The property is located off West S.D. Highway 44 on Cavern Road. There is currently a
   structure on the property.

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

Cavern Road: Cavern Road is located along the west side of the subject property and 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, Cavern Road is located in a 66
   foot wide county easement with an approximate 24 foot wide paved surface. Prior to Final
   Plat, the existing County Easement will need to be dedicated as right-of-way.

Fire Hazard Rating: The Fire Department staff has indicated that the property is located in an
   extreme wild fire hazard area. As such, a Wild Fire Mitigation Plan must be submitted for
   review and approval. In addition, the Wild Fire Mitigation Plan must be implemented. Staff
   is recommending that the Uniform Fire Code be continually met.

Legal Notification Requirement: The receipts from the certified mailings have not been returned
   as of this writing. Staff will notify the Planning Commission at the November 4, 2004
   Planning Commission meeting if this requirement is not met.