

STAFF REPORT
August 4, 2005

No. 05SV023 - Variance to the Subdivision Regulations to waive the requirement to pave and to reduce the surface width from 24 feet to 16 feet for Sun Ridge Road as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 32

GENERAL INFORMATION:

PETITIONER	Brent Pushing
REQUEST	No. 05SV023 - Variance to the Subdivision Regulations to waive the requirement to pave and to reduce the surface width from 24 feet to 16 feet for Sun Ridge Road as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	S1/2 NW1/4 SW1/4 SE1/4; S1/2 NE1/4 SW1/4 SE1/4; SW1/4 SW1/4 SE1/4; SE1/4 SW1/4 SE1/4; SW1/4 SE1/4 SE1/4, all located in Section 25, T2N, R6E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 4, Brentwood Subdivision, Section 25, T2N, R6E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 Acres
LOCATION	At the end of Sun Ridge Road
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	General Agriculture District (County)
East:	General Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	3/11/2005
REVIEWED BY	Vicki L. Fisher / David L. Johnson

RECOMMENDATION:

The Planning Commission acknowledges their previous action to approve the Variance to the Subdivision Regulations to waive the requirement to pave Sun Ridge Road with the stipulation that a 24 foot wide chip seal road be provided and that the applicant sign a waiver of right to protest any future assessment for the improvement.

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GENERAL COMMENTS:

(This Staff Report has been updated on July 27, 2005. All revised and/or added text is shown in bold print.) On June 6, 2005, the Planning Commission recommended approval of the Variance to the Subdivision Regulations to waive the requirement to pave Sun Ridge Road with the stipulation that a 24 foot wide chip seal road be provided and that the applicant sign a waiver of right to protest any future assessment for the improvement. Staff, subsequently, noticed that the mailing notification did not include the correct legal description. As such, staff has mailed a new notification letter with the correct legal description. Please note that the City Council will consider this item at their August 1, 2005 City Council meeting. No other part of this Staff Report has been revised.

(This Staff Report has been updated on June 12, 2005. All revised and/or added text is shown in bold print.) This item was continued at the May 26, 2005 Planning Commission meeting as requested by the applicant. In particular, the applicant's consultant identified that the legal description must be revised to include an adjacent ten acres in order to include all of the property as shown on the previously approved associated Layout Plat. Please note that no other part of this Staff Report has been revised.

(This Staff Report has been updated on May 16 2005. All revised and/or added text is shown in bold print.) This item was continued at the May 5, 2005 Planning Commission meeting to allow staff to review the current street design standard of Sunridge Road.

(This Staff Report has been updated on April 22, 2005. All revised and/or added text is shown in bold print.) This item was continued at the April 21, 2005 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been revised.

(This Staff Report has been updated on April 11, 2005. All revised and/or added text is shown in bold print.) This item was continued at the April 7, 2005 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been revised.

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to pave and to reduce the surface width from 24 feet to 16 feet for Sun Ridge Road as it extends through the subject property. On August 19, 2004 the City Council approved a Layout Plat to subdivide the subject property into four lots. In addition, a Variance to the Subdivision Regulations to waive the requirement to improve a section line highway located along the south lot line and to improve Sun Ridge Road and an unnamed lane place road with curb, gutter, sidewalk, street light conduit, water and sewer was approved with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements. The Variance to the Subdivision Regulations request to waive the requirement to pave Sun Ridge Road and the unnamed lane place road was denied.

The request duplicates the Subdivision Regulations Variance request that was denied by the

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City Council on December 28, 2004. Staff can not identify any new circumstances that would justify approval of the Variance previously denied by the City Council.

The subject property is located west of Rapid City on Sun Ridge Road and is currently void of any structural development.

STAFF REVIEW:

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

Sun Ridge Road: Sun Ridge Road is classified as a collector street on the City's Major Street Plan requiring that the street be located in a minimum 60 foot right-of-way and constructed with a 24 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water. As previously indicated, a Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk, street light conduit, water and sewer along Sun Ridge Road was approved by the City Council. Currently, Sun Ridge Road located south of the subject property is within a 66 foot right-of-way and constructed with an approximate 20 foot wide paved surface. Waiving the requirement to pave Sun Ridge Road will result in a discontinuous street design. As such, staff is recommending that the Variance to the Subdivision Regulations to pave Sun Ridge Road be denied.

The Street Design Criteria Manual states that cul-de-sac streets in high wild fire hazard areas shall not exceed 500 feet. In addition, intermediate turnarounds must be provided every 600 feet. Extending Sun Ridge Road as proposed will result in an approximate 5,700 foot long cul-de-sac with no intermediate turnarounds. The Fire Department staff has also indicated that the property is located in a high wild fire hazard area. As such, a minimum 24 foot wide paved surface must be provided to insure safe fire apparatus access to the proposed development. Staff is recommending that the Variance to the Subdivision Regulations to reduce the pavement width from 24 feet to 16 feet along Sun Ridge Road be denied.

On May 16, 2005, City and County staff inspected the existing surface of Sunridge Road. From observations at the edge of the existing road surface, the road appears to be constructed with a gravel base of undetermined depth and topped with several layers of blotter oil and asphalt surface treatment (chip seal) resulting in an approximate 1 ½ inch depth of asphaltic surfacing. The centerline and shoulders have been striped to define the driving lanes, and the road surface measures 24 feet in width. The road surface is in good condition with very little cracking, alligatoring, or distressed areas observed. Without obtaining sample from areas within the center of the road, it is difficult to determine the actual pavement section in place under the driving lanes, including the amount of base course.

Staff is recommending that Sunridge Road as it extends into the subject property be constructed with a minimum 24 foot wide paved surface in lieu of the requested 16 foot wide graveled surface. In particular, the Pennington County Highway Department staff has noted that the life of a chip seal street in comparison to a paved street is significantly less. Upon

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annexation of this area into the City limits, any future road maintenance will be the responsibility of the City, not the current or future property owners. It is important to minimize the tax payers responsibility for road maintenance as development within the City and within the three mile platting jurisdiction of the City occurs.

Legal Notification Requirement: The receipts from the certified mailings have been returned. Staff has met with one area property owner that opposes granting of the Variance to the Subdivision Regulations and supports the requirement that the road be paved.