

STAFF REPORT
August 24, 2006

No. 06SR061 - SDCL 11-6-19 Review to construct a 16 foot wide road within a Section Line Highway **ITEM 35**

GENERAL INFORMATION:

PETITIONER	Scott Hadcock for Paul & Kristina Zimmerman
REQUEST	No. 06SR061 - SDCL 11-6-19 Review to construct a 16 foot wide road within a Section Line Highway
EXISTING LEGAL DESCRIPTION	The unplatted parcel of land described as the SE1/4 SE1/4, Section 32, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 acres
LOCATION	At the southern terminus of Highland Hills Road
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	7/28/2006
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to construct a road to 16 feet be approved with the following stipulation:

1. Prior to Planning Commission approval, the applicant shall submit a revised plan showing a minimum 20 foot wide gravel road within the Section Line Highway.

GENERAL COMMENTS: A SDCL 11-6-19 Review request has been submitted to allow for the construction of a road within a portion of the Section Line Highway. The property is located south of Dunsmore Road on Highland Hills Road.

The applicant is proposing to construct a sixteen foot wide gravel road in a portion of the Section Line Highway for a driveway to a private residence. The Pennington County Board of Commissioners reviewed and approved the request to construct a sixteen foot wide road within the Section Line Highway with the stipulation that the plans be approved by the Rapid City Planning Commission.

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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 road is located in a portion of the section line highway requiring that the proposed construction be reviewed and approved by the Rapid City Planning Commission as a part of a SDCL 11-6-19 Review.

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

Highland Hills Road: Staff noted that Highland Hills Road is classified as a lane/place street requiring a minimum 24 foot wide paved surface with curb, gutter, sidewalk, streetlight conduit, water and sewer. Staff also noted that the existing road to the north is a gravel surface approximately 13 feet in width and the construction of this portion of Highland Hills Road would create a discontinuous street section. The applicant has submitted a plan showing a sixteen foot wide gravel surface. The Rapid City Fire Department indicated that this area is in a moderate to high wildfire area and would require a minimum 20 foot wide all-weather surface pursuant to the Fire Code. As such, staff is recommending that prior to Planning Commission approval, the applicant submit a revised plan showing a minimum 20 foot wide gravel road within the Section Line Highway.