

STAFF REPORT
April 24, 2008

No. 08SR030 - SDCL 11-6-19 Review to construct improvements in the Right-of-way **ITEM 65**

GENERAL INFORMATION:

APPLICANT/AGENT	Dean Hamm
PROPERTY OWNER	Dean R. Hamm
REQUEST	No. 08SR030 - SDCL 11-6-19 Review to construct improvements in the Right-of-way
EXISTING LEGAL DESCRIPTION	Apache Peak Lane right-of-way adjacent to Lot 3 of Block 1 of Sundance Ridge Subdivision, located in the NW1/4 of the NE1/4 and the NE1/4 of the NW1/4, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.76 acres
LOCATION	3436 Apache Peak Lane
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Park Forest District
East:	Park Forest District
West:	Park Forest District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to construct improvements in the Right-of-way be approved with the following stipulation:

1. Prior to Planning Commission approval the applicant shall submit additional information demonstrating that the proposed culvert will handle storm water discharge, prevent erosion, and support local truck and maintenance vehicle traffic.

GENERAL COMMENTS: The applicant has submitted a SDCL 11-6-19 request to allow the construction of a Driveway connecting to public property. The property is located at 3436 Apache Peak Lane, which is located east of Sheridan Lake Road and south of Sunset Vista Road. Currently there are no structures located on the property. The applicant is proposing to

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construct a 20 foot wide driveway from Sunset Vista Road onto the Apache Peak Lane easement in order to gain access to his property. The property is currently zoned Park Forest District. The property to the north is zoned Low Density Residential District and the balance of the surrounding properties are zoned Park Forest District.

South Dakota Codified Law 11-6-19 states that whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, 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 as defined in § 11- 6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". The proposed driveway is being constructed on public property and the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review request as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following considerations:

Fire Department: Prior to construction of any buildings on the property, fire hydrants must be in place and operational. The fire apparatus access road must be in compliance with the 2003 International Fire Code. Dead-end accesses including driveways in excess of 150 feet in length, must be provided with a fire apparatus turnaround as referenced in the 2003 International Fire Code. In addition, driveway slopes must not exceed 15%.

Culvert Information: The site plan submitted shows a 12 inch diameter culvert at the connection point of the driveway and Sunset Vista Road. Additional information is needed in order to verify that the proposed culvert will handle storm water discharge, prevent erosion, and support local truck and maintenance vehicle traffic. Prior to Planning Commission approval the applicant must submit additional information showing that the proposed culvert will handle storm water discharge, prevent erosion, and support local truck and maintenance vehicle traffic.

Driveway paving: Typically the first 50 feet of the driveway must be paved as per the Rapid City Municipal Code. However, Sunset Vista Road is gravel as it abuts Apache Peak Drive. As such, it would be discontinuous to require paving at this point. Staff recommends that the requirement to pave the first 50 feet of driveway be waived.

Staff recommends that the 11-6-19 Review to construct improvements in the right-of-way be approved with the above referenced stipulations.