MEMORANDUM

TO:       Public Works Committee Members

FROM:     Ted Johnson, City Engineer

DATE:     June 9, 2019

Subject: Request form BPRushmore, LLC to eliminate subdivision infrastructure improvements for Fox Road and Berglund Road.

On your agenda is a request from BPRushmore, LLC to eliminate the requirement to install previously approved subdivision improvements for the IGT Subdivision. The IGT subdivision was created in 2007 through the Rapid City Municipal Code subdivision ordinances including preliminary subdivision plat, approved infrastructure construction plans and final plat which created Lot 1 of the IGT Subdivision and Tract B of Lot 1 of the W1/2SW1/4 less IGT Sub and less ROW.

Platting of Lot 1 included the requirement to provide subdivision infrastructure improvements including curb and gutter, paving and sewer and water mains in Fox Road and a portion of Berglund Road. These improvements were required to provide street access, water, sewer and fire protection to the BPRushmore properties and to the properties to the north, northwest and west. In addition, variances were granted to waive the installation of street light conduit along Berglund Road and Fox Road, and waive the installation of curb, gutter, street light conduit, sewer and water along the section line highway and Highway 16 Service Road.

This request from BPRushmore, LLC is that the City Council eliminate the previously required infrastructure improvements which were approved by City Council when the property was subdivided and platted in 2007. Eliminating these infrastructure improvements, as requested by BPRushmore, will eliminate the availability and access to improved streets, water, sewer and fire protection for the undeveloped property adjacent to the IGT subdivision on the north side of Fox Road as well as the residential
properties to the north and west. The general character and uses of the properties in this area is still as it was in 2007 with the exception of the large parcel on the north side of Fox Road is now available for development. Infrastructure improvements must be installed in Fox Road and Berglund Road at some point, and if the requirements for BPRushmore, LLC to install previously approved infrastructure are eliminated, then the cost to construct the improvements will become a public liability.