

STAFF REPORT

June 29, 2000

**SVAR #00SV010 - Variance to the Subdivision
Regulations to waive the requirement for paving, curb,
gutter, sidewalks, sewer and water along the proposed
frontage road**

ITEM 33

GENERAL INFORMATION:

PETITIONER	Centerline for Double E, LLC
REQUEST	SVAR #00SV010 - Variance to the Subdivision Regulations to waive the requirement for paving, curb, gutter, sidewalks, sewer and water along the proposed frontage road
LEGAL DESCRIPTION	Lots 1 thru 4 of Block 1; Lots 1 thru 28 of Block 2; Lots 1 thru 13 of Block 3; and R.O.W. of Willowbend Road, Sand Cherry Lane, Wineberry Lane, Bayberry Court, Fieldstone Drive, Rosewood Lane, and Willowbend Place, and temporary ingress egress easement, Plum Creek Subdivision, located in the N1/2 of the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 80 Acres
LOCATION	At the western terminus of Willowbend Road and the south end of South Valley Drive
EXISTING ZONING	No Use (City)
SURROUNDING ZONING	
North:	(County)
South:	No Use (City)
East:	No Use (City)
West:	Low Density Residential II (Planned Residential Development) (City)
PUBLIC UTILITIES	City Water and Sewer to be extended
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for paving, curb, gutter, sidewalks, sewer and water along the proposed frontage road be denied.

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GENERAL COMMENTS: The applicant is proposing not to construct the proposed service road for the Southeast Connector. As part of the review of the Layout Plat, Staff requested that the service road be changed from a frontage road, as proposed in the South Dakota Department of Transportation designs plans for the Southeast Connector, to a rearage road. The rearage road would better serve the property by allowing lots to be developed on both sides of the street and allow adequate separation of intersections on Minnesota Street. The proposed road will provide access to the property to the north after the construction of the Southeast Connector.

STAFF REVIEW: Staff has reviewed Subdivision Variance request and has noted the following consideration:

The applicant's agent has indicated that they are requesting this variance because they are not sure of the exact location of where South Dakota Department of Transportation is planning to place the road. It is Staff's understanding that South Dakota Department of Transportation at this time is not planning on constructing the service road. The South Dakota Department of Transportation Staff indicated that they will address access issues as part of the financial settlement for the purchase of the right-of-way. The approved Layout Plat for the Plum Creek Development identifies the rearage or parallel road as the division between the residential development and the commercial development adjacent to the Southeast Connector. This is a vital link to the overall street network for this development and the area.

The Subdivision Regulations requires that when platting occurs adjacent to an identified street, that street needs to be developed at that time. This insures that all infrastructure is in place when development of an area occurs. ***It also insures that infrastructure is constructed in an orderly manner to insure that neighboring properties can developed in a timely manner. This street provides access to the property directly to the north.***

The applicant can either: 1) eliminate the five (5) lots, Lot 1 of Block 3; Lots 1, 2, and 3 of Block 1; and Lot 1 of Block 2 adjacent to the road from this phase; or 2) provide engineering plans for the construction of this street and prior to Final Plat approval for any lot adjacent to street construct the street or provide surety for the cost of the street; or 3) provide surety for the engineering design and construction of the street. Any of these options will fulfill the requirements of the Subdivision Regulations. There is no physical or other hardship that precludes the construction of this street at this time. Staff does not want to set a precedent of waiving street requirements. Staff cannot support any variance waiving all of the construction requirements of a proposed street.