

STAFF REPORT

August 9, 2001

No. 01SV018 - Variance to the Subdivision Regulations to reduce the required right-of-way dedication from 17 feet to seven feet

ITEM 28

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Robbins & Stearns
REQUEST	No. 01SV018 - Variance to the Subdivision Regulations to reduce the required right-of-way dedication from 17 feet to seven feet
LEGAL DESCRIPTION	Lot 1 and Lot 2 of Bies Subdivision formerly the unplatted balance of the SE1/4 of the NE1/4 of Section 18 located in the SE1/4 of the NE1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.058 acres
LOCATION	East of S. Highway 79, north of Minnesota Street
EXISTING ZONING	Light Industrial District/Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District/General Commercial District
East:	Heavy Industrial District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: **Staff recommends that the Variance to the Subdivision Regulations to reduce the required right-of-way dedication from 17 feet to seven feet be approved with the stipulation that a ten foot wide pedestrian access and utility easement be provided along the south property line of Lot 2 beginning at the southeast corner of Lot 2 and extending to the extension of the west right-of-way line of Heartland Drive.**

GENERAL COMMENTS: This Subdivision Regulation Variance request is the companion item to a Preliminary and Final Plat request for Bies Subdivision. The applicant is seeking to reduce the required right of way dedication from 17 feet to seven feet along Minnesota Street. Minnesota Street has been classified as an arterial street on the adopted Major Street Plan. The Street Design Criteria Manual requires a minimum of 100 feet of right of way for an arterial street. Currently, the right of way width of Minnesota Street adjacent to the subject property is 73 feet, of which 33 feet is located north of the section quarter line

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and 40 feet is located south of the section quarter line.

STAFF REVIEW: The South Robbinsdale Future Land Use Plan identifies the eastern portion of the property as appropriate for General Commercial land uses with a Planned Commercial Development and the western portion of the property as appropriate for Medium Density Residential land use. However, the applicant has submitted a Comprehensive Plan Amendment to revise the land use designations on the subject property to Office Commercial with a Planned Commercial Development for the western portion of the property and General Commercial with a Planned Commercial Development for the eastern portion of the property.

As mentioned previously, the right of way width of Minnesota Street adjacent to the subject property is currently 73 feet. Thirty three feet of the right-of-way is located north of the section quarter line and 40 feet is located south of the section quarter line. The applicant has indicated that with the dedication of seven feet of right-of-way, a total of 80 feet of right-of-way will have been dedicated, balancing the amount of right-of-way dedicated on either side of the quarter section line. However, Minnesota Street is classified as an arterial street on the adopted Major Street Plan and the Street Design Criteria Manual requires that a minimum of 100 feet of right-of-way be provided for arterial streets. Future platting of any of the property on the south side of Minnesota Street would require the dedication of additional right-of-way to meet the minimum right-of-way width requirement for an arterial street as identified in the Street Design Criteria Manual.

Minnesota Street intersects South Dakota Highway 79 at the eastern edge of the subject property. South Dakota Highway 79 is also classified as a principal arterial on the adopted Major Street Plan. The South Dakota Department of Transportation has indicated that a signal and left turn lanes will be installed at the intersection of South Dakota Highway 79 and Minnesota Street in 2001. Engineering Staff has indicated that depending on growth in this area, traffic on Minnesota Street could increase enough to warrant the expansion of Minnesota Street to a five lane street. The commercial development of the subject property being proposed by the applicant will also contribute to increased traffic on Minnesota Street and the potential for expansion of Minnesota Street. Therefore, staff is recommending denial of the Subdivision Regulations Variance request to reduce the required right-of-way dedication from 17 feet to 7 feet.

A major drainage feature is located along the north property line requiring the inclusion of a 100 foot major drainage easement on the proposed plat for Lots 1 and 2 of Bies Subdivision. The applicant has indicated that with the granting of 100 feet of easement along the north property line and the dedication of a total of 17 feet of right-of-way on the south property line the development of Lots 1 and 2 will not be economically feasible. The Engineering Staff has had further discussions with the applicant and have agreed that, with the granting of a ten foot pedestrian access and utility easement from the southeast corner of Lot 2 and extending west to the extension of the west right-of-way line of Heartland Drive, an eighty foot right-of-way will be sufficient for the future expansion of Minnesota Street. Therefore, staff is

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recommending approval of the Subdivision Variance with the stipulation noted in the Staff recommendation portion of this report.

The receipts from the required certified mailing have been returned by the applicant. Staff has not received any objections or inquiries regarding this request.