

STAFF REPORT

April 25, 2002

---

**No. 02SV017 - Variance to the Subdivision Regulations to waive the requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks** **ITEM 51**

---

GENERAL INFORMATION:

PETITIONER	Renner & Sperlich Engineering Co. for Wilburn-Powers, Inc.
REQUEST	<b>No. 02SV017 - Variance to the Subdivision Regulations to waive the requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks</b>
EXISTING LEGAL DESCRIPTION	Lots 3 and 4 of the NW1/4 of the SW1/4 of Section 32 less Lot H1 of Lots 3, 4, 5 & 6 of the NW1/4 of the SW1/4 of Section 32, and the unplatted portion of the NW1/4 of the SW1/4 of Section 32 and the existing 16' wide alley located in the NW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 3 of Huffman Subdivision located in the NW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.57 acres
LOCATION	East of Cambell Street and between US Highway 14 & 16 and East Philadelphia Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District/General Agricultural District
South:	Heavy Industrial District
East:	General Agriculture District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	03/27/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the

## STAFF REPORT

April 25, 2002

---

**No. 02SV017 - Variance to the Subdivision Regulations to waive the requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks** **ITEM 51**

---

requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks be approved with the stipulation that the applicant shall sign a waiver of right to protest agreement for the required improvements;

GENERAL COMMENTS: This Variance to the Subdivision Regulations request has been submitted to waive the requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks along the East Philadelphia Street frontage of the property. The applicant has submitted an associated Preliminary Plat request to combine three existing lots into one lot. The property is located on the south side of East North Street west of the Menard's development.

STAFF REVIEW: Currently, East Philadelphia Street is paved from the intersection of Cambell Street and East Philadelphia Street east for approximately 600 feet. The remainder of the dedicated East Philadelphia Street right of way east of Cambell Street and west of the subject property is gravel or not improved at all. The construction of roadway improvements within the East Philadelphia right of way along the frontage of the subject property would result in a section of roadway from Cambell Street to the east side of the subject property with discontinuous pavement. In addition, the proposed plat combines three existing lots into one lot. In the past, the City Council has supported variances to the Subdivision Regulations when the proposed plat does not increase the overall density of the subdivision. Staff recommends approval of the Variance to the Subdivision Regulations with the provision that the applicant sign a Waiver of Right to Protest future assessments for the required improvements.