

STAFF REPORT

August 8, 2002

No. 02SV033 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter and street lights as regulated by Section 16.16 of the Subdivision Regulations

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GENERAL INFORMATION:

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| PETITIONER | Fisk Land Surveying and Consulting Engineers for Wayne and Phyllis Krell |
| REQUEST | No. 02SV033 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter and street lights as regulated by Section 16.16 of the Subdivision Regulations |
| EXISTING LEGAL DESCRIPTION | Lot 3, Block 1, Pleasant Hill Addition, located in the NE1/4 NE1/4 of Section 9, T1N, R8E, BHM, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 1.0 acres |
| LOCATION | 2021 Pacific Lane |
| EXISTING ZONING | County - Suburban Residential District |
| SURROUNDING ZONING | |
| North: | County - Suburban Residential District |
| South: | County - Suburban Residential District |
| East: | County - Suburban Residential District |
| West: | County - Suburban Residential District |
| PUBLIC UTILITIES | Rapid Valley Sanitary sewer and water |
| DATE OF APPLICATION | 07/11/2002 |
| REPORT BY | Lisa Seaman |

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter and street lights as regulated by Section 16.16 of the Subdivision Regulations be denied.

GENERAL COMMENTS:

This Subdivision Regulations Variance request is the companion item to the Layout Plat request for proposed Lot 3A and 3B of Lot 3, Block 1, Pleasant Hill Addition (#02PL073). The Layout Plat has been submitted to split an existing one acre lot into two lots. The subject property is located adjacent to Pacific Drive, approximately 420

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feet south of the intersection of Twilight Drive and Pacific Drive. Currently, the property is undeveloped. The applicant has submitted this Subdivision Regulations Variance request to waive the requirement to install sidewalk, street light conduit and curb and gutter. The property is located within the Rapid City three-mile platting jurisdiction.

STAFF REVIEW: Staff has reviewed the proposed Subdivision Variance request and is recommending denial of the request to waive the requirement to install curb and gutter, sidewalks and street light conduit along Pacific Drive where it abuts the lot frontage in the associated Layout Plat. Subdivision Variances to the road improvement standards have generally only been granted when there is no increase in the density of dwelling units resulting from the subdivision. The associated Layout Plat proposes to increase the density of the subdivision by one dwelling unit. The subject property is located outside of the Rapid City Corporate Limits; therefore, the required improvements can not be secured with a Waiver of Right to Protest a future assessment project. In addition, Pacific Drive is a narrow street. Staff finds that the installation of curb and gutter and sidewalk along the narrow road will provide a safe location for pedestrian traffic. The installation of street light conduit will improve public safety in the area by providing night time lighting to aid emergency personnel in locating addresses and operating emergency vehicles along the narrow street.

As of this writing, the receipts from the required certified mailing have not yet been returned by the applicant. Staff has not received any objections or inquiries regarding this request.