

STAFF REPORT

August 22, 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:

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 without prejudice at the applicant's request.

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This item was continued from the August 8, 2002 Planning Commission meeting at the applicant's request. On August 15, 2002 staff received a letter from the applicant requesting that

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the Layout Plat request be denied without prejudice. 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 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 been returned by the applicant. Staff has not received any objections or inquiries regarding this request.