

STAFF REPORT

October 23, 2003

No. 03SV033 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, paving, sidewalk, street light conduit, sewer and water as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 35

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc. for Hank Craig
REQUEST	No. 03SV033 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, paving, sidewalk, street light conduit, sewer and water as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	A portion of Lot B of the N1/2 of Government Lot 4, located in the SW1/4 of the SW1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1, 2 and 3 of Craig Estates, located in the SW1/4 of the SW1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.569 acres
LOCATION	Along the 4200 Block of Parkview Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	Low Density Residential District/General Agriculture District
West:	Public District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	08/29/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, paving, sidewalk, street light conduit, sewer and water as per Chapter 16.16 of the Rapid City Municipal Code be **approved**.

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GENERAL COMMENTS:

This item was continued at the September 25, 2003 Planning Commission meeting to be heard in conjunction with an associated Layout, Preliminary and Final Plat. This Staff Report has been revised as of October 14, 2003. All revised and/or added text is shown in bold print. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk, street light conduit, sewer, water and pavement along a well access easement located along the south lot line of the subject property. The applicant has also submitted a Preliminary and Final Plat to subdivide the subject property into three lots leaving a 14.601 acre non-transferable balance. (See companion item #03PL089.)

On August 20, 2001 the City Council denied without prejudice Layout, Preliminary and Final Plat #00PL100 to subdivide the subject property into two lots.

The property is located approximately 1,400 feet south of the Minnesota Street/Parkview Drive intersection on the east side of Parkview Drive. Currently, a single family residence and a pole barn are located on 14.601 acre non-transferable balance.

STAFF REVIEW:

During the review of the associated Preliminary and Final Plat, staff identified that a Master Plan must be submitted for review and approval on the approximate 14.601 non-transferable balance. In particular, the Master Plan must identify future lot configurations as well as road and utility extensions through the site. Due to the potential issues associated with the proposed road and utility extensions through the non-transferable balance, staff is recommending that the Preliminary and Final Plat be continued. **On October 6, 2003, the applicant submitted a revised plat document minimizing the flagpole lot to the existing single family residence from 60 feet to 25 feet as recommended. In addition, the applicant submitted a Master Plan identifying the future subdivision of the eastern portion of the subject property into 43 residential lots. These lots will be accessed from Elm Street and future road connections to the south.**

Access Easement: The plat document identifies a 60 foot wide well access easement located along the south lot line of the subject property. The three proposed lots will be accessed directly from Parkview Drive. As previously indicated, a Master Plan has been submitted identifying that a flagpole lot extending from Parkview Drive will serve as access to the existing single family residence located directly east of the three proposed lots. In addition, the balance of the unplatted portion of the subject property will be accessed from Elm Street and future road connections to the south. The access easement can only be used to access a well lot located on the unplatted balance of the property. As such, staff is recommending that the Variance to Subdivision Regulations to waive the requirement to improve the access easement be approved.

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Legal Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the October 23, 2003 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquiries regarding this proposal.