

STAFF REPORT
September 7, 2006

No. 06SV051 - Variance to the Subdivision Regulations to waive the requirement to install sewer, water, street light conduit; and to waive the requirement to install sidewalk on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 29

GENERAL INFORMATION:

PETITIONER	Advanced Engineering & Surveying, Inc. for Shane Daniel
REQUEST	No. 06SV051 - Variance to the Subdivision Regulations to waive the requirement to install sewer, water, street light conduit; and to waive the requirement to install sidewalk on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Plat of Lots B2 and B3 of Parcel B, MJK Subdivision, formerly a part of Parcel B, MJK Subdivision, located in the NW1/4 SE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tracts 1 and 2 of Lot B3 of Parcel B, MJK Subdivision, formerly Plat of Lots B2 and B3 of Parcel B, MJK Subdivision, formerly a part of Parcel B, MJK Subdivision, located in the NW1/4 SE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .74 acres
LOCATION	Southwest of the intersection of Derby Lane and East Minnesota Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Medium Density Residential District - Office Commercial District (Planned Development Designation)
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/11/2006

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REVIEWED BY

Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sewer, water, street light conduit; and to waive the requirement to install sidewalk on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

1. A sidewalk shall be provided on the south side of the access easement.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sewer, water, street light conduit; and to waive the requirement to install sidewalk on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code along the proposed access easement. In addition, the applicant has submitted a Layout Plat to create three lots ranging from 0.32 acres to .74 acres in size. (See associated item 06PL134.)

The property is located south of Minnesota Street and west of Derby Lane. Currently, an apartment complex and parking lot is located on a portion of the subject property.

Staff Review: Staff has reviewed the Variance to the Subdivision Regulations and has noted the following considerations:

Access Easement: Staff noted that the applicant is showing access to proposed Lot B2 and Tract 2 of Lot B3 through a 130 foot long by 45 foot wide access easement. The applicant is proposing to construct a lane place street with 20 foot of paved surface, curb, gutter, and sidewalk on the south side of the street and provide additional on-site visitor parking. Staff noted that the existing complex's water and sewer service lines connect to the existing water and sewer mains in Derby Lane and the proposed service lines would also connect to these mains. Staff also noted that the proposed sidewalk on the south side of the access easement would provide pedestrian access to both of the lots serviced by the access easement. Staff noted that since this is an access easement there would not be a location for a public street light and the lots will provide site lighting for the parking areas. As such, staff recommends approval of the Variance to the Subdivision Variance Regulations to waive the requirement to install sewer, water, street light conduit; and to waive the requirement to install sidewalk on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code.

Legal Notification Requirement: The receipts from the certified mailings have not been returned as of this writing. Staff will notify the Planning Commission at the September 7, 2006 Planning Commission meeting if this requirement is not met.