

STAFF REPORT  
October 4, 2007

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**No. 07SV052 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk, water, sewer, curb, gutter, street light conduit, pavement and to reduce right-of-way width as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 28**

GENERAL INFORMATION:

APPLICANT/Agent	Dream Design International, Inc.
PROPERTY OWNER	Midland Rushmore LLC
REQUEST	<b>No. 07SV052 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk on both sides of street, water, sewer, curb, gutter, street light conduit, pavement and to reduce right-of-way width as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	Lot 1, less Lot H-1 and Lot 2, less Lot H-2 of Block 2, located in the NE1/4 SW1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1A, 2A and 2B, Block 2, formerly Lot 1, less Lot H-1 and Lot 2, less Lot H-2 of Block 2, the vacated portion of Rapp Street and the south half of the vacated alley, located in the NE1/4 SW1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.77 acres
LOCATION	At the intersection of Eglin Street and Rapp Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/7/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk, water, sewer, curb, gutter, street light conduit, pavement and to reduce right-of-way width as per Chapter 16.16 of the Rapid City Municipal Code be continued to the October 25, 2007 Planning Commission meeting to allow the applicant to submit a revised plat document.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk, water, sewer, curb, gutter, street light conduit, pavement and to reduce the right-of-way width on adjacent street(s) as they abut the property. In addition, the applicant has submitted a Preliminary Plat (#07PL121) to subdivide two parcels into three lots.

The recent platting of Rushmore Crossing included the realignment of the intersection of Rapp Street and Eglin Street. As such, the applicant has submitted this Preliminary Plat to create lots on each side of Rapp Street as it extends through the property.

The property is located north of the intersection of Eglin Street and Rapp Street. Currently, Quality Transmission and a cellular communication tower are located on proposed Lot 2A.

STAFF REVIEW:

On September 25, 2007, staff met with the applicant to discuss the Preliminary Plat and associated Variance to the Subdivision Regulations request. In particular, staff voiced concern with access to proposed Lot 1A and Lot 2A. As a result of the discussion, the applicant has indicated that the plat document will be revised to include an adjacent lot located west of proposed Lot 1A. In addition, the plat document will show the two lots platted into one lot which will allow for an internal private drive to serve as access to proposed Lot 1A in lieu of allowing a separate approach along Rapp Street. The applicant has also indicated that the plat will be revised to vacate an existing 20 foot parking and circulation easement extending across proposed Lot 2B to serve Lot 2A since it is no longer needed to access either lot.

Staff is recommending that the Variance to the Subdivision Regulations and the associated Preliminary Plat be continued to the October 25, 2007 Planning Commission to allow the applicant to submit a revised plat document as identified above.

Notification Requirement: The receipts from the certified mailings have been returned. As of this writing, staff has not received any calls of inquiry regarding this proposal.