

STAFF REPORT
January 10, 2008

No. 07SV069 - Variance to the Subdivision Regulations to waive the requirement to construct pavement, curb, gutter, water, sewer, sidewalk, and street light conduit along the access easement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 76

GENERAL INFORMATION:

APPLICANT	Jackson Park, LLC
AGENT	FMG, Inc.
PROPERTY OWNER	Jackson Park, LLC
REQUEST	No. 07SV069 - Variance to the Subdivision Regulations to waive the requirement to construct pavement, curb, gutter, water, sewer, sidewalk, and street light conduit along the access easement as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot 1 of Lot A of the SE1/4 of the SW1/4, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Ray Kraemer Subdivision, formerly Lot 1 of Lot A of the SE1/4 of the SW1/4, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.62 acres
LOCATION	Northwest of the intersection of Jackson Boulevard and Central Boulevard
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District - Low Density Residential District
East:	Office Commercial District
West:	Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/14/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

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RECOMMENDATION:

If the Planning Commission finds that it is appropriate to waive the requirement to improve the access easement because the lot is being platted to expand the City Park System, Planning Commission should recommend approval of the Variance to the Subdivision Regulations to waive the requirement to construct pavement, curb, gutter, water, sewer, sidewalk, and street light conduit along the access easement as per Chapter 16.16 of the Rapid City Municipal Code.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to construct pavement, curb, gutter, water, sewer, sidewalk, and street light conduit along the access easement as per Chapter 16.16 of the Rapid City Municipal Code. In addition, the applicant has submitted a Preliminary Plat (#07PL170) to divide a commercial lot into two lots. On December 19, 2005, City Council approved a parking agreement (LF121405-07) with Jackson Park, LLC that included the donation of proposed Lot 2 to the City of Rapid City for the expansion of the Rapid City park system.

The property is zoned Office Commercial and an office building and parking lot is currently constructed on the property.

STAFF REVIEW:

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

Access Easement: Staff noted that an access easement was recorded at the Pennington County Register of Deeds office on January 2, 2007 to provide access to proposed Lot 2 of Kraemer Subdivision. However, the applicant is required to construct a commercial street with 26 feet of paved surface, curb, gutter, sidewalk, street light conduit, water and sewer per the Rapid City Street Design Criteria Manual to provide access to the proposed Lot 2 or obtain a Variance to the Subdivision Regulations. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to construct pavement, curb, gutter, water, sewer, sidewalk, and street light conduit along the access easement as per Chapter 16.16 of the Rapid City Municipal Code.