

STAFF REPORT
February 21, 2008

No. 08SV001 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk and reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Midway Street; and a Variance to the Subdivision Regulations to waive the requirement to install sidewalk and to reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Patton Street as per Chapter 16 of the Rapid City Municipal Code **ITEM 24**

GENERAL INFORMATION:

APPLICANT	Duane Hosek
AGENT	Black Hills Surveying
PROPERTY OWNER	Duane Hosek
REQUEST	No. 08SV001 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk and reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Midway Street; and a Variance to the Subdivision Regulations to waive the requirement to install sidewalk and to reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Patton Street as per Chapter 16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	All of Block 24 of Mahoney Addition, less the west 25 feet, less the south eight and one half feet and the east eight and one half feet, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Hosek Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.37 acres
LOCATION	1509 Midway
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District - Medium Density Residential District
South:	Low Density Residential District
East:	Medium Density Residential District

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West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/11/2008
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk and reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Midway Street and a Variance to the Subdivision Regulations to waive the requirement to install sidewalk and to reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Patton Street as per Chapter 16 of the Rapid City Municipal Code be continued to the **March 6, 2008** Planning Commission meeting to allow the applicant to submit the required information and to be heard in conjunction with the Preliminary Plat.

GENERAL COMMENTS: (Update February 13, 2008. All revised text is shown in bold.)

This item was continued to the February 21, 2008 Planning Commission meeting to allow the applicant to submit the required information. As of February 13, 2008, the required information had not been submitted. Staff recommends that the Variance to the Subdivision Regulations be continued to the March 6, 2008 Planning Commission meeting to allow the applicant to submit the required information.

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk and reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Midway Street; and a Variance to the Subdivision Regulations to waive the requirement to install sidewalk and to reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Patton Street as per Chapter 16 of the Rapid City Municipal Code. The applicant has also submitted a Preliminary Plat to subdivide the property into two 0.18 acre parcels. (See companion item #08PL001.)

The property is located northwest of the intersection of Patton Street and Midway Street. Currently, a single family residence and accessory structures are located on the property.

STAFF REVIEW:

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

Midway Street: Midway Street is identified as a sub-collector street and must be located in a

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minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Midway Street is constructed with a 24 foot wide paved surface, curb, gutter, street light conduit, sewer and water. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk and reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Midway Street. However, the location of existing and proposed right-of-way widths as required per Section 16.20.0409(I)(2) was not indicated on the plat document and staff cannot evaluate the Variance request without the necessary information. As such, staff recommends that the Variance to the Subdivision Regulations be continued to allow the applicant to submit the required information.

Patton Street: Patton Street is identified as a sub-collector street and must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Patton Street is constructed with a 24 foot wide paved surface, curb, gutter, street light conduit, sewer and water. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk and reduce the pavement width from 27 feet to 24 feet and to dedicate additional right-of-way along Patton Street. However, the location of existing and proposed right-of-way widths as required per Section 16.20.0409(I)(2) was not indicated on the plat document and staff cannot evaluate the Variance request without the necessary information. As such, staff recommends that the Variance to the Subdivision Regulations be continued to allow the applicant to submit the required information.