

STAFF REPORT
February 19, 2009

No. 09SV001 - Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Elk Vale Road as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 25

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
AGENT	No Agent
PROPERTY OWNER	SSST, LLC
REQUEST	No. 09SV001 - Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Elk Vale Road as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The NW1/4 SW1/4 less Plum Creek Subdivision less Lot H1 and less Right-of-way, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 5 of Block 1, Lots 1 thru 7 of Block 2, Lot 1 of Block 3 and the drainage Lot 1, Elks Crossing Subdivision, all located in the SW1/4, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 27.13 acres
LOCATION	Elk Vale Road lying west of Willowbend Road
EXISTING ZONING	Office Commercial District (Planned Development Designation) - General Commercial District (Planned Development Designation) - Low Density Residential II District (Planned Development Designation)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation) - General Agriculture District
South:	General Commercial District (Planned Development Designation)
East:	Low Density Residential II District (Planned Residential Development) - Medium Density Residential District (Planned Development Designation)
West:	Office Commercial District (Planned Development Designation)

STAFF REPORT
February 19, 2009

No. 09SV001 - Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Elk Vale Road as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 25

PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/2/2009
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's withdrawal of the Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Elk Vale Road 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 install water and sewer along Elk Vale Road as it abuts the property. The applicant has also submitted an Exception request to waive the requirement to install curb, gutter, sidewalk, and street light conduit along this portion of Elk Vale Road. Staff has reviewed the Exception request and, subsequently, approved it with the stipulation that the applicant sign a waiver of right to protest any future assessment for the construction of curb, gutter and street light conduit along this portion of Elk Vale Road.

On January 22, 2009, the Planning Commission approved a Preliminary Plat (File #08PL179) to subdivide the property, a 27.13 acre parcel, into 14 lots. The City Council will consider the Preliminary Plat at their February 17, 2009 City Council meeting.

The property is located east of Elk Vale Road and west of the Plum Creek Subdivision. Currently, the property is void of any structural development.

STAFF REVIEW:

On February 11, 2009, the applicant withdrew the Variance to the Subdivision Regulations. As such, staff recommends that the Planning Commission acknowledge the applicant's request for withdrawal of the Variance to the Subdivision Regulations.