No. 09SV002 - 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 15

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Magic Mountain, LLC
REQUEST	**No. 09SV002 - 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	A portion of the SE1/4 of the NE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Block 2 of Hilltop Business Park Subdivision, formerly a portion of the SE1/4 of the NE1/4, located in the SE1/4 of the NE1/4, Section 4, t1n, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.521 acres
LOCATION	Northwest of the intersection of Homestead Street and Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District (Planned Commercial Development)
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/5/2009
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:
Staff recommends that 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

**No. 09SV002 - Variance to the Subdivision Regulations to waive the   ITEM 15
requirement to install water and sewer along Elk Vale Road as per
Chapter 16.16 of the Rapid City Municipal Code**

Code be continued to the March 26, 2009 Planning Commission meeting to be heard in conjunction with the associated Preliminary Plat application.

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 per Chapter 16.16 of the Rapid City Municipal. The property is located at the northwest intersection of Elk Vale Road and Homestead Street. Currently, a commercial building is located on the property. In addition, submitted a Preliminary Plat (#09PL003) application to create a 4.521 acre lot and leave the remaining portion of the property as an unplatted balance.

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

Elk Vale Road: Elk Vale Road is located along the eastern lot line of the proposed lot. Elk Vale Road is on the State Highway System and is identified as an arterial street on the Major Street Plan requiring a minimum 100 foot of right-of-way. The developer is responsible for constructing an arterial street to a collector street standard. Any expansion of the road beyond a collector street standard is considered over sizing and is not the developer's responsibility. Currently, Elk Vale Road is located in a 250 foot wide right-of-way with four paved travel lanes and sewer. There is no curb and gutter, street light conduit, water or sidewalks currently constructed in Elk Vale Road. The applicant has requested a 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. However, sewer currently exists in Elk Vale Road and the water main is currently located at the southeast corner of the site and it is the developer's responsibility to extend the water main to provide service to the property to the north. Also, additional information is required prior to making a recommendation on the associated Preliminary Plat application. As such staff recommends that 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 be contiuned to the March 26, 2009 Planning Commission meeting to be heard in conjunction with the associated Preliminary Plat application.