

STAFF REPORT
December 10, 2009

No. 09SV023 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement, to reduce the access easement width from 45 feet to 16 feet, and to reduce the pavement width from 20 feet to 9 feet as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 22

GENERAL INFORMATION:

APPLICANT	Triple Z Real Estate Development
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Triple Z Real Estate Development, LLLP
REQUEST	No. 09SV023 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement, to reduce the access easement width from 45 feet to 16 feet, and to reduce the pavement width from 20 feet to 9 feet as per Chapter 16.16 of the Rapid City Municipal Code

EXISTING
LEGAL DESCRIPTION

A portion of Tract 1 and a portion of Tract 2 located in the E1/2 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southwest corner of Lot 18 of Block 11, Elks Country Estates Located in the E1/2 of the SE1/4 of Section 16, T1N, R8E, B.H.M., and common to the Jolly Lane right-of-way of record; thence, first course: N53°23'47"E, along the south boundary of said Lot 18 of Block 11 of Elks Country Estates, a distance of 85.00 feet; thence, second course: S21°21'11"E, a distance of 200.51 feet; thence, third course: S65°23'01"W, a distance of 20.36 feet; thence, fourth course: S65°23'12"W, a distance of 64.64 feet; thence, fifth course: a curve common to the Jolly Lane right-of-way with a length of 183.19 feet, a radius of 1200.00 feet, a delta of 08°44'47", a cord bearing of N20°27'32"W, and a cord distance of 183.01 feet and the southwest corner of Lot 18 of Block 11, Elks Country Estates and the Point of Beginning; said parcel contains 15,550.92 square feet or 0.357 acres more or less.

PROPOSED
LEGAL DESCRIPTION

Lot 19 of Block 11 of Elks Country Estates, located in the E1/2 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

STAFF REPORT
December 10, 2009

No. 09SV023 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement, to reduce the access easement width from 45 feet to 16 feet, and to reduce the pavement width from 20 feet to 9 feet as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 22

PARCEL ACREAGE	Approximately 0.357 acres
LOCATION	South and east of the intersection of Padre Drive and Jolly Lane
EXISTING ZONING	Low Density Residential II District (Planned Residential Development) – General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential II District (Planned Residential Development) – General Agriculture District
South:	Low Density Residential II District (Planned Residential Development)
East:	Low Density Residential II District (Planned Residential Development) – General Agriculture District
West:	Low Density Residential II District (Planned Residential Development) – General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	11/13/2009
REVIEWED BY	Patsy Horton / Ted Johnson

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement, to reduce the access easement width from 45 feet to 16 feet, and to reduce the pavement width from 20 feet to 9 feet as per Chapter 16.16 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations application to waive the requirements to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement, to reduce the access easement width from 45 feet to 16 feet, and to reduce the pavement width from 20 feet to 9 feet as per Chapter 16.16 of the Rapid City Municipal Code on the 16 foot access easement for the Elks Club golf cart path on proposed Lot 19 of Block 11 in conjunction with an associated Preliminary Plat (#09PL073). The property is currently vacant of structural development with an approximate 9 foot asphalt golf cart path traversing the northern portion of the proposed lot and is located south of Padre Drive and east of Jolly Lane.

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

Access Easement: The applicant has submitted a proposed 16 foot access easement near the

STAFF REPORT
December 10, 2009

No. 09SV023 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement, to reduce the access easement width from 45 feet to 16 feet, and to reduce the pavement width from 20 feet to 9 feet as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 22

north property line to accommodate the existing 9 foot asphalt golf cart path. The Rapid City Municipal Code requires that the access easement be a minimum of 45 feet in width with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. The existing golf cart path provides paved access to golfers between sections of the golf course. The applicant is requesting a Subdivision Variance to waive the requirement to improve the easement to City standards. The required utilities are available to all affected properties. The golf cart path appears to be a unique feature specific to the surrounding golf course and would not require infrastructure improvements necessary to meet the Street Design Criteria Manual. As such, staff is recommending approval of the Subdivision Variance as proposed.

Legal Notification Requirement: The receipts from the certified mailings have been returned. Staff has not received any calls regarding this proposal.

Staff recommends that the Variance to the Subdivision Regulations be approved.