

STAFF REPORT
November 10, 2011

No. 11SV020 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along First Street and to waive the requirement to install additional pavement, street light conduit, sewer and water along East Boulevard as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 6

GENERAL INFORMATION:

APPLICANT	Robert W. Akers
AGENT	Renner & Associates, LLC
PROPERTY OWNER	Philip Weger
REQUEST	No. 11SV020 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along First Street and to waive the requirement to install additional pavement, street light conduit, sewer and water along East Boulevard as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Tract 5 Revised of Signal Heights Addition and a portion of vacated South Street located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Tract 5 Revised of Signal Heights Addition
PARCEL ACREAGE	Approximately 14.959 acres
LOCATION	North of the intersection of East Boulevard and Kellogg Place
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District - Medium Density Residential District
South:	General Commercial District
East:	Medium Density Residential District (Planned Residential Development)
West:	Park Forest District - Medium Density Residential District
PUBLIC UTILITIES	City sewer and water

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DATE OF APPLICATION 9/30/2011

REVIEWED BY Vicki L. Fisher / 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 First Street and to waive the requirement to install additional pavement, street light conduit, sewer and water along East Boulevard as per Chapter 16.16 of the Rapid City Municipal Code be continued to the **November 23, 2011** Planning Commission meeting.

GENERAL COMMENTS:

(Update: November 1, 2011. All revised and/or added text is shown in bold print.) This item was continued at the October 27, 2011 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted. As such, staff recommends that the Variance to the Subdivision Regulations be continued to the November 23, 2011 Planning Commission meeting to allow the applicant to submit the additional information.

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along First Street and to waive the requirement to install additional pavement, street light conduit, sewer and water along East Boulevard as they abut the property. In addition, the applicant has submitted a Preliminary Plat (File #11PL035) to subdivide the property, a 14.959 acre parcel, into two lots. The two lots are to be known as Lot 1 of Tract 5 Revised and Lot 2 of Tract 5 Revised. In addition, the lots are sized 8.183 and 6.776 acres, respectively.

The property is located north of the intersection of East Boulevard and Kellogg Place. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Access/Utilities: To date, the applicant has not demonstrated physical access to the two proposed lots or utility service to the property. On October 18, 2011, staff met with the applicant's consultant to discuss the proposed Variance request and the associated Preliminary Plat application. The applicant's consultant has indicated that a sewer and water layout and a feasibility plan demonstrating service to the property will be submitted for review and approval. In addition, a road layout for First Street will be submitted for review and approval to demonstrate access to the property.

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Staff recommends that the Variance to the Subdivision Regulations be continued to the **November 23, 2011** Planning Commission meeting to allow the applicant to submit the additional information as noted above.

Legal Notification Requirement: The white slips and green cards from the certified mailings have been returned. Staff has not received any calls or inquiries regarding this proposal.