

STAFF REPORT

July 5, 2001

No. 01SV013 - Variance to the Subdivision Regulations to waive the ITEM 54 requirement for dry sewer, water and street light conduit

GENERAL INFORMATION:

PETITIONER	Fisk Engineering for John Skulborstad
REQUEST	No. 01SV013 - Variance to the Subdivision Regulations to waive the requirement for dry sewer, water and street light conduit
LEGAL DESCRIPTION	Lot 1 of Lot F-1 of Fish Hatchery Subdivision formerly a portion of Lot F-1 of Fish Hatchery Subdivision located in the NE1/4 SE1/4 of Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4 acres
LOCATION	North of the intersection of Jackson Boulevard and Chapel Lane
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Park Forest District
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for dry sewer, water and street light conduit be denied.

GENERAL COMMENTS: The applicant has submitted a Subdivision Regulations Variance request to waive the requirement for sewer, water and street light conduit. The applicant has also submitted a Preliminary and Final Plat to create a four acre lot, leaving a 22.2 acre unplatted balance. (See companion item # 01PL057.)

The applicant had previously submitted a Preliminary and Final Plat on the subject property to create a one acre lot and a rezoning request to rezone the one acre from Park Forest to Office Commercial with an Initial and Final Planned Commercial Development. At the June 7, 2001 Planning Commission meeting, the applicant requested that these items be denied without prejudice. On June 8, 2001, the applicant submitted the Preliminary and Final Plat and the Subdivision Regulations Variance requests that are currently being reviewed. The applicant had originally proposed to locate a photography studio on the property. The applicant has indicated that a residence will be constructed on the property at this time and

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that, eventually, a photography studio may be proposed as a major home occupation.

The property is located directly west of the Blessed Sacrament Catholic Church on the north side of Jackson Boulevard. Currently, an unoccupied building is located on the property. At one time the building was the site of the Johnson Siding Volunteer Fire Department.

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

Sewer and Water: An on-site wastewater system and a private well are located on the subject property. The applicant is requesting that the wastewater system and the well be allowed to serve the proposed residential lot. Currently, City water is located at the intersection of Chapel Lane and Jackson Boulevard, directly southeast of the subject property. In addition, City sewer is located along the south side of Jackson Boulevard, directly across from the subject property. Chapter 16.16.050 of the Subdivision Regulations states that any subdivision located within five hundred feet of the Rapid City sewer system shall be required to hook up to that system. Based on the close proximity of existing City services and the proposed residential use of the property, staff is recommending that the Subdivision Regulations Variance request to waive the requirement to install sewer and water lines be denied.

Street Lights: Street lights are currently located along the south side of Jackson Boulevard adjacent to the bike path. Extending street lights along the north side of Jackson Boulevard as it abuts the subject property will result in the extension of the street design currently existing along this section of roadway. As such, staff is recommending that the Subdivision Regulations Variance request to waive the installation of street light conduit be denied.

Legal Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the July 5, 2001 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquires regarding this proposal.