

STAFF REPORT

September 26, 2002

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**No. 02SV038 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along E. St. Patrick Street and Sedivy Lane**

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**ITEM 56**

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying and Consulting Engineers for Cody Champion
REQUEST	<b>No. 02SV038 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along E. St. Patrick Street and Sedivy Lane</b>
EXISTING LEGAL DESCRIPTION	Lot A of Blocks 3 and 4 of Rapid Valley Subdivision located in the NE1/4 NE1/4 of Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.03 acres
LOCATION	2507 E. St. Patrick Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District/General Commercial District
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	08/30/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's request to withdraw the Variance to the Subdivision Regulations.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalks along Sedivy Lane and East St. Patrick Street. The Subdivision Regulations Variance request is a companion item to Layout Plat #02PL088 to subdivide the above legally described property into two lots. The lots will be 1.47 acres and 1.56 acres in size, respectively, and will be known as Lots 1 and 2 of Lot A, Rapid Valley Subdivision.

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On January 1, 1998, the City Council approved a Layout Plat to subdivide the subject property as identified on this plat. The stipulations of approval required improving the adjacent streets, Sedivy Lane and East St. Patrick Street, to City street design standards. On April 26, 2000, the applicant submitted another Layout Plat again proposing to subdivide the property into two lots. During this review, the applicant indicated that the property would be platted in two phases in order to delay the street improvements along Sedivy Lane until such time as Phase Two was submitted for review and approval. The applicant subsequently withdrew the Layout Plat request.

The property is located in the southeast corner of the Sedivy Lane/East St. Patrick Street intersection. Currently, Champion Home Service and Supply is located on proposed Lot 1 and proposed Lot 2 is void of any structural development.

STAFF REVIEW:

As identified in the associated Layout Plat staff report, the First Church of the Open Bible, located on the west side of Sedivy Lane directly opposite the subject property, has recently obtained a grading permit to improve Sedivy Lane. The construction plans identify improving Sedivy Lane to a 26 foot wide paved surface, with curb, gutter, street light conduit and water. (Sewer currently exists along Sedivy Lane.) In addition, sidewalks are being proposed along the west side of Sedivy Lane as it abuts the church property and along that portion of East St. Patrick Street that abuts the church property.

Due to the sidewalk improvement(s) being completed by the church along Sedivy Lane and East St. Patrick Street, the applicant has submitted a letter requesting that the Variance to the Subdivision Regulations be withdrawn. As such, staff is recommending that the Planning Commission acknowledge the applicant's request to withdraw the Variance to the Subdivision Regulations.