

STAFF REPORT

November 20, 2003

No. 03SV034 - Variance to the Subdivision Regulations to waive the requirement to install sidewalks as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 27

GENERAL INFORMATION:

PETITIONER	Bacon & Sherman Limited I
REQUEST	No. 03SV034 - Variance to the Subdivision Regulations to waive the requirement to install sidewalks as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lots 1 thru 9 and 11 thru 20, Block 5 and the north half of vacated East Watertown Street; Lots 3 thru 14 and the vacated alley adjacent to Lots 7 thru 14 in Block 6 and the south half of vacated Watertown Street lying north of the railroad right-of-way, and the vacated portions of Herman Street, East Madison Street and Maple Avenue all in Schnasse Addition; all located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract A and Tract B of Henrickson Addition, located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.35 acres
LOCATION	110 East Watertown Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Commercial District w/Planned Commercial Development
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	08/29/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalks as per Chapter 16.16 of the Rapid City Municipal Code be **denied without prejudice at the applicant's request.**

GENERAL COMMENTS:

(All added and/or revised text is shown in bold print.) This item was continued at the September 9, 2003 Planning Commission meeting to allow the applicant to submit additional information. However, the property has recently been sold to Bacon & Sherman Limited I. The new owner has requested that the Variance to the Subdivision Regulations be denied without prejudice. As such, staff is recommending that this item be denied without prejudice as requested by the applicant. Please note that no other part of the Staff Report has been revised. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to provide sidewalks along the southern 280 feet of Maple Avenue as it abuts the subject property. The applicant has also submitted a Layout, Preliminary and Final Plat to combine 31 lots and previously vacated East Watertown Street right-of-way into two lots. In addition, the applicant has submitted an Initial and Final Planned Residential Development to allow a 53 unit mobile home park to be located on the subject property. (See companion items #03PL090 and 03PD045.)

The property is located between Maple Avenue and Herman Street, directly south of East Madison Street. Currently, a 47 unit mobile home park, known as Hillsvie Mobile Home Park, is located on the property. The applicant is proposing to bring the mobile home park into compliance with City Ordinance requirements and to expand the number of permitted mobile homes to 53 units.

STAFF REVIEW:

As a part of the Layout, Preliminary and Final Plat, the applicant is proposing to vacate 15 feet of the Maple Avenue, Herman Street and East Madison Street rights-of-way. In order for staff to adequately review the impacts of vacating the proposed rights-of-way, a cross section showing the actual location of the improvements for each of these three roads must be submitted for review and approval. As such, staff is recommending that the Layout, Preliminary and Final Plat be continued to the November 20, 2003, Planning Commission meeting to allow the applicant to submit the cross sections as identified. Staff is also recommending that the Variance to Subdivision Regulations be continued to the November 20, 2003, Planning Commission meeting to be heard in conjunction with the associated plat.