

STAFF REPORT

March 4, 2004

No. 04SV003 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 20

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 04SV003 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	NW1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 80.293 acres
LOCATION	Along Bethpage Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	02/06/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code be denied and that a Special Exception be granted to waive the requirement to provide a turnaround at the end of Bethpage Drive.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to improve the northern 200 feet of Bethpage Drive. On February 19, 2004, the Planning Commission approved a Preliminary and Final Plat to subdivide the subject property into 40 residential lots as Phase Four of the Red Rock Estates Subdivision. The

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Preliminary and Final Plat will be heard at the March 15, 2004 City Council meeting.

The property is located at the northern terminus of Prestwick Drive and is currently void of any structural development.

STAFF REVIEW:

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

Bethpage Drive: The applicant is proposing to dedicate right-of-way for the northern 200 feet of Bethpage Drive and to sign a waiver of right to protest any future assessment for the improvement in consideration of granting a Subdivision Regulations Variance for the improvements at this time. The previously submitted construction plans demonstrate that there are no physical obstacles preventing the street from being constructed at this time. In the past, the City Council has required that streets be improved as a part of the platting process to insure that street connectivity exists as additional development within the area occurs. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to construct a portion of Bethpage Drive be denied.

The applicant has also requested a Special Exception to the Street Design Criteria Manual to waive the requirement to provide a temporary turnaround at the end of the street. Providing the turnaround within a section line highway located at the northern terminus of Bethpage Drive may require that a substantial construction easement be obtained from the adjacent property. Based on the short length of the street and topographic constraints within the section line highway, staff is recommending that the Special Exception be granted as requested.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned. Staff will notify the Planning Commission at the March 4, 2004 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquires regarding this proposal.