

STAFF REPORT
February 24, 2005

No. 05SV009 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and storm sewer as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 51

GENERAL INFORMATION:

PETITIONER	Renner & Associates for the Canyon Lake Senior Citizen Center
REQUEST	No. 05SV009 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and storm sewer as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	A portion of the NW1/4 of Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract 1, Canyon Lake Senior Citizens Center, located in the NW1/4 of Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 21.045 acres
LOCATION	2900 Canyon Lake Drive
EXISTING ZONING	Park Forest District/Medium Density Residential District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Park Forest District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/27/2005
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and storm sewer along Canyon Lake Drive be talbed and that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Canyon Lake Drive as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

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1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessments for the improvement.

GENERAL COMMENTS:

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 Canyon Lake Drive as it abuts the subject property. In addition, the applicant has submitted a Preliminary Plat to subdivide the subject property creating a 21.05 acre parcel, to be known as Tract 1, leaving a 24.14 acre unplatted non-transferable balance. (See companion item #05PL018.)

On June 15, 1992, the City Council approved a Use On Review #1094 to allow an expansion to the Canyon Lake Senior Citizen's Center located on the subject property. On July 6, 2004, the City Council approved a Layout Plat to create a 21.05 acre lot as proposed on this Preliminary Plat.

The property is located east of the intersection of Soo San Drive and Canyon Lake Drive. Currently, Sioux San Hospital is located on the 24.14 acre unplatted balance and the Canyon Lake Senior Citizen's Center is located on proposed Tract 1.

STAFF REVIEW:

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

Street Improvements: Canyon Lake Drive is located along the southeast lot line of the subject property. Curb, gutter, street light conduit, water, sewer and storm sewer improvements are currently constructed along Canyon Lake Drive. As such, staff is recommending that the Variance to the Subdivision Regulations to waive these improvements be tabled. However, to date, a sidewalk has not been constructed along the south side of Canyon Lake Drive. Requiring a sidewalk on this side of Canyon Lake Drive as it abuts the subject property will result in a discontinuous street section. In addition, a bike path has been constructed on the north side of Canyon Lake Drive, including that portion abutting the subject property. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the improvement be approved with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvement.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the February 24, 2005 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal