

STAFF REPORT  
May 26, 2005

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**No. 05SV027 - 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**

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**ITEM 66**

GENERAL INFORMATION:

PETITIONER	Renner & Associates for Pete Lien and Sons
REQUEST	<b>No. 05SV027 - 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</b>
EXISTING LEGAL DESCRIPTION	Lot A, B, and C of Keller Subdivision, located in the S1/2 of SE1/4, Section 17, T2N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lien Tract and Lot AR, Keller Subdivision, Section 17, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 43.17 acres
LOCATION	The old Dog Track on North Highway 79
EXISTING ZONING	General Commercial District - Heavy Industrial District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District - General Agriculture District (Pennington County)
South:	General Agriculture District - Highway Service District (Pennington County)
East:	Limited Agriculture District - General Commercial District - Suburban Residential District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	4/20/2005
REVIEWED BY	Vicki L. Fisher / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the section

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line highway; and, that the Varaince to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along S.D. Highway 79 as per Chapter 16.16 of the Rapid City Municipal Code be continued to the June 9, 2005, Planning Commission meeting to be heard in conjunction with the associated Preliminary Plat.

**GENERAL COMMENTS:**

The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along S.D. Highway 79 and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along a portion of the section line highway located along the south lot line of the subject property. In addition, the applicant has submitted a Preliminary Plat to reconfigure the subject property into three lots.. The applicant has also submitted a Vacation of Section Line Highway request to vacate the western 857 feet of the section line highway located along the south lot line of the subject property. (See companion items 05PL072 and 05VR004.)

The subject property is located in the northwest corner of the intersection of Universal Drive and S.D. Highway 79. The property was the previous site of the grey hound dog racing track. Currently, a portion of the facility is still located on the property.

**STAFF REVIEW:**

On May 19, 2005, the applicant submitted a revised Preliminary Plat document eliminating two of the southern lots from the proposed development. As such, staff is recommending that the Preliminary Plat be continued to the June, 9, 2005 Planning Commission meeting to allow staff time to review the revised plat document. In addition, staff is recommending that this item be continued to the June 9, 2005 Planning Commission meeting to be heard in conjunction with the associated Preliminary Plat.

**Legal Notification Requirement:** The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the May 26, 2005 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquiries regarding this proposal.