

STAFF REPORT  
March 9, 2006

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**No. 06SV006 - Variance to the Subdivision Regulations to waive the requirement to install curb gutter, sidewalk, street light, sewer, water and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 23**

GENERAL INFORMATION:

PETITIONER	D.C. Scott Surveyors, Inc. for West River Electric Association
REQUEST	<b>No. 06SV006 - Variance to the Subdivision Regulations to waive the requirement to install curb gutter, sidewalk, street light, sewer, water and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	Lot 1 of Neff's Subdivision No. 3 and the unplatted portion of the SW1/4 SW1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1R of Neff's Subdivision No. 3 (formerly Lot 1 of Neff's Subdivision and the unplatted portion of the SW1/4 SW1/4), Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.725 acres
LOCATION	400 Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/27/2006
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement

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to install curb gutter, sidewalk, street light, sewer, water and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code be continued to the **March 23, 2006** Planning Commission meeting at the applicant's request.

GENERAL COMMENTS:

**(Update, February 24, 2006. All revised and/or added text is shown in bold print.) This item was continued at the February 23, 2006 Planning Commission meeting at the applicant's request. On February 24, 2006, the applicant again requested that this item be continued to the March 23, 2006 Planning Commission meeting. As such, staff is recommending that this item be continued as requested. Please note that no other part of this Staff Report has been revised.**

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along an access easement and Elk Vale Road as they abut the subject property. In addition, the applicant has submitted a Preliminary Plat to subdivide the subject property creating a 7.725 acre lot and leaving a non-transferable unplatted balance. (See companion item #06PL014.)

The property is located approximately 2,200 feet north of the intersection of Homestead Street and Elk Vale Road on the east side of Elk Vale Road. Currently, a utility substation is located on the eastern portion of the property.

STAFF REVIEW:

On February 3, 2006, the applicant submitted a Vacation of Right-of-way application to vacate the section line highway located along the south lot line of the subject property. The Planning Commission will consider the request at their March 9, 2006 Planning Commission meeting. The applicant has requested that this item be continued to the March 9, 2006 Planning Commission meeting to be heard in conjunction with the Vacation of Right-of-way request.

Staff is recommending that the Variance to the Subdivision Regulations be continued to the March 23, 2006 Planning Commission meeting at the applicant's request.