

STAFF REPORT
June 22, 2006

No. 06SV035 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, additional pavement, additional right-of-way and sewer as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 42

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06SV035 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, additional pavement, additional right-of-way and sewer as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	A parcel of land described as the SW1/4 SE1/4 SE1/4 NE1/4; SE1/4 SW1/4 SE1/4 NE1/4; NW1/4 NE1/4 NE1/4 SE1/4; NE1/4 NW1/4 NE1/4 SE1/4, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1, 2 and 3, Seljeskog Subdivision, located in the SE1/4 NE1/4 NE1/4 SE1/4, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.00 acres
LOCATION	2151 Skyline Ranch Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Park Forest District
West:	Park Forest District
PUBLIC UTILITIES	City water and on site septic system
DATE OF APPLICATION	5/26/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, additional pavement, additional right-of-way and sewer as per Chapter 16.16 of the Rapid City Municipal Code be continued to the July 6, 2006

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Planning Commission meeting to be heard in conjunction with the Preliminary Plat application.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, additional pavement and additional right-of-way along the access easements as per Chapter 16 of the Rapid City Municipal Code. In addition, the applicant has submitted a Preliminary Plat to subdivide the subject property into three lots. (See companion item #06PL082.)

The property is located at 2151 Skyline Ranch Road, west of Tower Road and south of Skyline Drive. Currently, the property includes a residential structure and garage. On July 17, 1996, the Zoning Board of Adjustment approved a variance to Chapter 17.08.040E to allow a dwelling on a lot that does not abut a public street for a distance of not less than 50 feet in the Park Forest Zoning District.

STAFF REVIEW: Staff has reviewed the Preliminary Plat application and the Variance to the Subdivision Regulations and noted that additional information is needed in order to complete the review of these applications. A 1932 recorded deed indicates that a 30 foot centerline right-of-way is located on the property. However, that information was not included in the plat drawing. The right-of-way must be shown on the plat and the applicant must improve the right-of-way to the City's Subdivision standards or obtain a variance for the improvements. The Subdivision Variances requested for the improvements cannot be evaluated without additional street construction information for the access easement. Three exceptions to Rapid City's Design Standard and Criteria have been requested including: an exception to provide common use visitor parking, an exception to provide a turnaround in the cul-de-sac, and an exception to the cul-de-sac length. Those exceptions are currently being evaluated by staff. In order for staff to review the Preliminary Plat and make a recommendation to the Planning Commission, additional information is necessary.

Notification Requirement: As of this writing, the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 22, 2006 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

Staff is recommending that the Variance to the Subdivision Regulations be continued to the July 6, 2006 Planning Commission meeting to allow the application to be heard in conjunction with the Preliminary Plat.