

STAFF REPORT
October 5, 2006

No. 06SV055 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement; and to waive the requirement to install sidewalk along SD Highway 44 as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Renner & Associates for ARC International
REQUEST	No. 06SV055 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement; and to waive the requirement to install sidewalk along SD Highway 44 as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The balance of the residual portion of Lots B and C, located in the SW1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 3 of Barnhart Addition, located in the SW1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.796 acres
LOCATION	2990 East Highway 44
EXISTING ZONING	General Commercial District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District (Pennington County)
South:	General Commercial District (Pennington County)
East:	General Commercial District (Pennington County)
West:	General Commercial District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	8/25/2006
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

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

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easement; and to waive the requirement to install sidewalk along South Dakota Highway 44 as per Chapter 16.16 of the Rapid City Municipal Code be continued to the **October 26, 2006** Planning Commission meeting.

GENERAL COMMENTS:

(Update, September 22, 2006. All revised and/or added text is shown in bold print.) This item was continued at the September 21, 2006 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the October 26, 2006 Planning Commission meeting to allow the applicant to submit the additional information as outlined in the Staff Report.

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 an access easement and to waive the requirement to install sidewalk along South Dakota Highway 44 as they abut the subject property.

On July 14, 2006, the applicant submitted a Preliminary Plat to subdivide the subject property, creating one lot. This item has been continued to the September 21, 2006 Planning Commission meeting to allow the applicant to submit additional information. (See companion item #06PL114.)

On August 28, 2006, staff approved an Exception request to allow an easement to serve five lots in lieu of four lots as per the Street Design Criteria Manual.

The property is located directly north of the intersection of E. St. Patrick Street and South Dakota Highway 44 on the north side of South Dakota Highway 44. Currently, two commercial signs are located on the property.

STAFF REVIEW:

During the review of the Variance to the Subdivision Regulations, staff noted that additional information must be submitted for review and approval. In particular, the applicant has submitted a site plan showing a six inch water main located east of the proposed access easement, on an adjacent property. In addition, a four inch sewer service line is shown within the access easement. However, the applicant has not submitted construction plans showing the extension of water and sewer to the proposed lot. As such, staff can not sufficiently review the Variance to the Subdivision Regulations request to waive sewer and water mains along the access easement. In addition, the applicant has not submitted any drainage information demonstrating the accommodation of flows along the access easement with the proposed elimination of curb and gutter. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the **October 26, 2006** Planning Commission meeting to allow the applicant to submit the additional information.

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Legal Notification Requirement: **The receipts from the certified mailings have been returned. Staff has not received any calls of inquiry regarding this proposal.**