

STAFF REPORT
October 26, 2006

No. 06SV065 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and pavement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 52

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06SV065 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and pavement as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The north 389.4 feet of Tract C, located in the NW1/4 NE1/4, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 16 acres
LOCATION	Southeast of the intersection of Sunset Vista Road and Sheridan Lake Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Low Density Residential District (Planned Residential Development)
East:	Park Forest District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/29/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and pavement as per Chapter 16.16 of the Rapid City Municipal Code be continued to allow the Variance to the Subdivision Regulations to be heard in conjunction with the Layout Plat.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, and pavement for the subject property. In addition, the applicant has submitted a Layout

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Plat to create three lots ranging in size from 3.3 acres to 9.2 acres. (See companion item #06PL161.)

The subject property is zoned Park Forest and is located east of Sheridan Lake Road and South of Sunset Vista Road. Currently, there are no structures on the property.

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

Pavement: Sunset Vista Road is classified as a lane place street requiring that it be located in a minimum 49 foot wide right-of-way and/or easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or the street must be located in a minimum 45 foot wide easement and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. If on-street parking is not provided, the developer must provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs or a Variance to the Subdivision Regulations must be obtained.

Sunset Vista Road extends east off of Sheridan Lake Road and is currently a paved surface with curb and gutter. As such, staff is recommending that Sunset Vista Road be paved with a minimum 20 foot wide paved surface, curb, gutter and street light conduit. In addition, one paved visitor parking space must be provided within 300 feet of the proposed residence and Sunset Vista Road must be posted with no parking signs or an Exception must be obtained to waive the requirement to provide visitor parking.

Curb and Gutter: The applicant has not submitted any drainage information demonstrating that drainage is being accommodated along Sunset Vista Road in consideration of waiving curb and gutter. As such, staff is recommending that the Variance to the Subdivision Regulations to waive curb and gutter be denied.

Street Light Conduit: The requirement to provide street light conduit does not require that a street light be placed as a part of platting the property. However, providing the conduit at this time allows the placement of a street light in the future if and/or when, it is needed. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install street light conduit be denied.

Sidewalk: The City Council continues to voice concern with the lack of sidewalks along streets to provide pedestrian access and to provide a safe place for children to play. As such, staff is recommending that the requirement to install sidewalks be denied.

Legal Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the October 26, 2006 Planning Commission meeting if this requirement has not been met.