

STAFF REPORT
January 4, 2007

No. 06SV074 - Variance to the Subdivision Regulations to waive the ITEM 33 requirements to install sewer, water, curb, gutter, pavement, street light conduit and sidewalks as per Chapter 16 of the Rapid City Municipal Code

GENERAL INFORMATION:

PETITIONER	Renner & Associates for John Duffield
REQUEST	No. 06SV074 - Variance to the Subdivision Regulations to waive the requirements to install sewer, water, curb, gutter, pavement, street light conduit and sidewalks as per Chapter 16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lots 24 and 25 of Block 3 of Moon Meadows Estates, Section 34, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 24R and 25R of Block 3 of Moon Meadows Estates, Section 34, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.24 acres
LOCATION	At the southern terminus of North Star Road
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	12/8/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirements to install sewer, water, curb, gutter, pavement, street light conduit and sidewalks as per Chapter 16 of the Rapid City Municipal Code be approved with the following stipulation:

1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any

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future assessment for the improvements.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, sewer, water, and pavement as per Chapter 16 of the Rapid City Municipal Code along the subject property. In addition, the applicant has submitted a Preliminary Plat to reconfigure two lots (See associated item 06PL185).

The subject property is located south of Moon Meadows Drive at the southern terminus of North Star Road. The subject property and the surrounding properties are zoned Suburban Residential in Pennington County. Currently a single family residence is located on the subject property.

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

North Star Road: North Star Road extends south from Moon Meadows Drive resulting in an approximate 2,000 foot long cul-de-sac. The southern terminus of North Star Road is located along the north lot line of the subject property. North Star Road is classified as a lane/place street requiring that it be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, North Star Road has a 50 foot wide right-of-way and an approximate 18 foot wide gravel surface. Staff noted that requiring the construction of additional pavement, curb, gutter and sidewalk as it abuts the subject property will result in a discontinuous street section. Staff also noted that applicant is reconfiguring two lots through the platting process and not creating any additional density. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, streetlight conduit, water and sewer be approved as requested with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements.

Legal Notification Requirement: The receipts from the certified mailings have been returned.