

STAFF REPORT
August 9, 2007

No. 07SV041 - Variance to the Subdivision Regulations to waive the requirement to dedicate a full street per Chapter 16.12.050 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	City of Rapid City/Dream Design International
REQUEST	No. 07SV041 - Variance to the Subdivision Regulations to waive the requirement to dedicate a full street per Chapter 16.12.050 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The unplatted portion of the NE1/4 SE1/4, lying southeast of Elk Vale Road, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Word of Hope Subdivision, located in the NE1/4 SE1/4, lying southeast of Elk Vale Road, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.1 acres
LOCATION	Southeast of Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	Office Commercial District - Planned Commercial Development
West:	Light Industrial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	7/18/2007
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to dedicate a full street per Chapter 16.12.050 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to increase the pavement width along Jolly Lane as

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per Chapter 16.16 of the Rapid City Municipal Code. The applicant has also submitted a Preliminary Plat (#07PL029) to subdivide a 39.49 acres parcel into one 2.1 acres lot and leave the remaining 37.39 acres as an unplatted balance. The applicant has submitted two Subdivision Variance requests (#07SV010 and #07SV028).

The property is located west of Elk Vale Road at the northern terminus of Jolly Lane. The property is currently void of structural development.

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

Section 16.12.50 of the Rapid City Municipal Code requires that where there is a dedicated or a platted half street adjoining the tract to be subdivided, the other half shall be platted.

Section Line Highway: An undeveloped section line highway is located along the east lot line of the subject property. A Vacation of Section Line Highway application (#07VR009) has been submitted to vacate the west 33 feet of section line on the property. A portion of the eastern 33 feet of section line highway was previously vacated with the platting of Neff's Subdivision. This leaves a portion of the eastern 33 feet of section line highway on the adjacent property unplatted.

The adjacent property is under different ownership and located in Pennington County. If developed, the section line highway would access onto Elk Vale Road at a location where control of access has been purchased by the South Dakota Department of Transportation. Further, the oblique angle of the road intersection would result in an unsafe intersection design. The existing and proposed roads in the area will provide adequate access to the area. The development of a road at this location would not appear to be necessary or appropriate. As such, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to dedicate a full street per Chapter 16.12.050 of the Rapid City Municipal Code be approved. In addition, staff encourages the applicant to work with the adjacent landowner to vacate the balance of the section line highway.