

STAFF REPORT

March 6, 2008

No. 08SV009 - Variance to the Subdivision Regulations to waive the ITEM 28 requirement to install curb, gutter, sidewalk and street light conduit along Mount Rushmore Road as per Chapter 16.16 of the Rapid City Municipal Code

GENERAL INFORMATION:

APPLICANT	Skyline Pines East, LLLP
AGENT	FourFront Design, Inc.
PROPERTY OWNER	Skyline Pines East Land Company, LLC
REQUEST	No. 08SV009 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Mount Rushmore Road as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot B of the SE1/4 of the SE1/4 and Lot C of the SW1/4 of the SE1/4, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 8 of Skyline Pines East Subdivision, located in the SE1/4 of the SE1/4 and the SW1/4 of the SE1/4, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 16.27 acres
LOCATION	South of Tower Road and west of Mount Rushmore Road
EXISTING ZONING	Office Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Low Density Residential II District (Planned Development Designation)
South:	Office Commercial District (Planned Development Designation)
East:	Office Commercial District (Planned Development Designation)
West:	Office Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water

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DATE OF APPLICATION 2/8/2008

REVIEWED BY Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's withdrawal of the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Mount Rushmore Road as per Chapter 16.16 of the Rapid City Municipal Code.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Mount Rushmore Road. In addition, the applicant has submitted a Preliminary Plat (#08PL014) to subdivide a parcel into eight commercial lots leaving a non-transferable balance.

On April 19, 2004, the City Council approved a Layout Plat to create two lots which included the property. In addition, the City Council approved a Rezoning request (#04RZ014) to change the zoning designation of the subject property from General Agriculture District to Office Commercial District with a Planned Development Designation.

In 2004, a Tax Increment Financing District was approved by the City Council for the reconstruction of Tower Road and infrastructure improvements. In 2007, the City Council approved revisions to the Tax Increment Financing District (#06TI006) to reallocate the project costs.

On January 22, 2008, the City Council approved a Layout Plat (#07PL172) to create 12 commercial lots, which included this property.

The property is located south of Tower Road and west of Mount Rushmore Road. Currently, the property is void of any structural development.

STAFF REVIEW:

The associated Preliminary Plat does not include any lots located adjacent to Mount Rushmore Road. The Master Plan for the development shows one lot to be platted in the future along Mount Rushmore Road. The applicant has requested that the Variance to the Subdivision Regulations to waive the requirement to curb, gutter, sidewalk and street light conduit along Mount Rushmore Road be withdrawn. In addition, the applicant has indicated that a Variance will be submitted in the future in conjunction with a Preliminary Plat that includes property along Mount Rushmore Road. As such, staff is recommending that the Planning Commission acknowledge the applicant's withdrawal of the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Mount Rushmore Road.

Legal Notification Requirement: Since the applicant has requested that the Variance to the

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Subdivision Regulations be withdrawn, there is no requirement to mail certified notices.