

STAFF REPORT

May 8, 2008

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**No. 08SV027 - Variance to the Subdivision Regulations to waive the ITEM 47 requirement to install sidewalk along the north side of East Mall Drive and Dakota Craft Drive**

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GENERAL INFORMATION:

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|----------------------------|--|
| APPLICANT/AGENT            | Dream Design International, Inc.   |
| PROPERTY OWNER             | Mall Drive, LLC  |
| REQUEST                    | <b>No. 08SV027 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the north side of East Mall Drive and Dakota Craft Drive</b>   |
| EXISTING LEGAL DESCRIPTION | A portion of the unplatted balance of the NW1/4 SE1/4 north of Interstate 90 excepting Lot H13 and Lot 3 of the S1/2 SE1/4 all located in the SE1/4 and Lot 1 of Block 6 of Interstate 90 Heartland Business Park , Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota   |
| PROPOSED LEGAL DESCRIPTION | Lots 1, 2 and 3 of Mall Drive Subdivision, and Lots 1A and 1B of Interstate 90 Heartland Business Park, formerly a portion of the unplatted balance of the NW1/4 SE1/4 north of Interstate 90 excepting Lot H13 and Lot 3 of the S1/2 SE1/4 all located in the SE1/4 and Lot 1 of Interstate 90 Heartland Business Park , Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE             | Approximately 41.23 acres  |
| LOCATION                   | North of East Mall Drive and west of Dakota Craft Drive  |
| EXISTING ZONING            | General Commercial District (Planned Development Designation)  |
| SURROUNDING ZONING         |  |
| North:                     | Light Industrial District  |
| South:                     | Light Industrial District  |
| East:                      | General Commercial District  |
| West:                      | Light Industrial District - General Commercial District (Planned Development Designation)  |
| PUBLIC UTILITIES           | City water and sewer   |

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DATE OF APPLICATION 4/11/2008

REVIEWED BY Travis Tegethoff / Ted Johnson

**RECOMMENDATION:**

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the north side of East Mall Drive and Dakota Craft Drive be denied.

**GENERAL COMMENTS:** The applicant has submitted a Variance to the Subdivision Regulations (#08SV027) to waive the requirement to install sidewalk along the north side of East Mall Drive and Dakota Craft Drive. In addition, the applicant has submitted a Preliminary Plat to create five lots, leaving the remainder of the property as an unplatted balance.

The property is located west of Dakota Craft Drive and north of East Mall Drive and is currently void of structural development.

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

**Sidewalks:** Currently, sidewalks do not exist along the north side of East Mall Drive or Dakota Craft Drive. However, this is a commercial area and it is anticipated that as this area continues to develop with commercial use(s), additional pedestrian traffic will be generated between the use(s). It has also been the position of the City Council that a sidewalk be provided as a part of the development of a site to insure pedestrian safety within our community. In order to provide a safe place for pedestrians to walk, staff is recommending the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the north side of East Mall Drive and Dakota Craft Drive be denied.

**Legal Notification Requirement:** To date, the receipts from the certified mailings have not been returned. Staff will notify Planning Commission at the May 8, 2008 Planning Commission meeting if the legal notification requirements have not been met.