

STAFF REPORT

April 21, 2011

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**No. 11SV007 - Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way along Minnesota Street**

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**ITEM 4**

GENERAL INFORMATION:

APPLICANT	Walgar Development Corp.
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Walgar Development Corporation
REQUEST	<b>No. 11SV007 - Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way along Minnesota Street</b>
EXISTING LEGAL DESCRIPTION	N1/2 of the SE1/4 of Section 13 and a portion of Tract B of Robbinsdale Addition No. 10, located in N1/2 SE1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 2 of Block 2 of Minnesota Park Subdivision
PARCEL ACREAGE	Approximately 1.879 acres
LOCATION	At the southwest corner of the intersection of East Minnesota Street and Wisconsin Avenue
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	Office Commercial District
South:	Medium Density Residential District
East:	Office Commercial District
West:	Office Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/23/2011
REVIEWED BY	Vicki L. Fisher / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way along East Minnesota Street be approved with the following stipulation:

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1. Prior to submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide pedestrian access and utility easement along East Minnesota Street.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way along Minnesota Street as it abuts the property. In addition, the applicant has submitted a Preliminary Plat (File #11PL021) to create a 1.879 acre lot leaving an unplatted non-transferable balance.

The property is located in the southwest corner of the intersection of Wisconsin Avenue and East Minnesota Street and is currently void of any structural development.

STAFF REVIEW:

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

Minnesota Street: Minnesota Street is located along the north lot line of the property and is classified as a minor arterial street. The Street Design Criteria Manual requires a minimum 100 foot wide right-of-way for a minor arterial street. Currently, Minnesota Street has an 80 foot right-of-way width. As such, the plat must be revised to provide an additional ten feet of right-of-way along Minnesota Street.

On July 27, 1999, the applicant entered into an agreement with the City stating that the applicant shall dedicate and plat an 80 foot public right-of-way for the extension of Minnesota Street to Fifth Street. The agreement includes that portion of Minnesota Street adjacent to the this property. The Major Street Plan was initially adopted by the City on January 15, 1996 and identified Minnesota Street as a collector street. In July of 2000, the Major Street Plan was amended reclassifying Minnesota Street as a minor arterial street. At the time the above referenced agreement was entered into, the 80 foot right-of-way width was sufficient for a collector street. Due to the amendment to the Major Street Plan in 2000, any platting along Minnesota Street now requires that ten additional feet of right-of-way be obtained from each adjacent property in order to secure the minimum 100 foot right-of-way width for a minor arterial street.

The Long Range Transportation Plan identifies that in the year 2025, 7,000 peak week daily traffic trips will be generated along Minnesota Street. Future development within the area may require improvements and/or expansion to Minnesota Street. The existing 80 foot wide right-of-way along this portion of Minnesota Street should accommodate any additional turn lanes that may be necessary due to increased traffic flows generated by future development of the area. However, staff recommends that a ten foot wide public utility and pedestrian access easement be provided along the north lot line of the subject property to accommodate pedestrian access and any future location and/or relocation of public utilities.

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way along Minnesota Street be approved with the

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stipulation that prior to submittal of a Final Plat application, the plat document be revised to show a ten foot wide pedestrian access and utility easement along Minnesota Street.

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 April 21, 2011 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.