

STAFF REPORT
February 9, 2012

No. 12SV001 - Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Catron Boulevard as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 10

GENERAL INFORMATION:

APPLICANT	Lazy P-6 Land Co., Inc.
AGENT	Lawrence M. Kostaneski, PE for Centerline, Inc.
PROPERTY OWNER	Lazy P-6 Land Co., Inc.
REQUEST	No. 12SV001 - Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Catron Boulevard as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Unplatted Government Lot 2 less North 80 Subdivision, less Lot H2 and less right-of-way all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 6 of North 80 Subdivision
PARCEL ACREAGE	Approximately 3 acres
LOCATION	Southeast of the intersection of East Stumer Road and Shelby Avenue
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Office Commercial District - Office Commercial District (Planned Development Designation)
South:	General Commercial District (Pennington County)
East:	General Agriculture District
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/13/2012
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to

STAFF REPORT
February 9, 2012

No. 12SV001 - Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Catron Boulevard as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 10

install water and sewer along Catron Boulevard as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulations:

1. Prior to approval by the City Council, the applicant shall sign a waiver of right to protest any future assessments for the improvements; and,
2. Prior to approval by the City Council, the plat document shall be revised to show the dedication of a minimum 20 foot wide water main easement through Lot 6 from E. Stumer Road to Catron Boulevard for a future 12 inch water main extension.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Catron Boulevard and an Exception request (File #12EX009) to waive the requirement to install curb, gutter, sidewalk and street light conduit along Catron Boulevard as it abuts the property. In addition, the applicant has submitted a Preliminary Plat to create a 2.993 acre lot to be known as Lot 6, North 80 Subdivision.

On January 26, 2011, the Planning Commission recommended approval of a Preliminary Plat (File #11PL075) to create Lots 4 and 5 of the North 80 Subdivision. In addition, the Planning Commission recommended approval of a Variance to the Subdivision Regulations (File #11SV023) to waive the requirement to install water and sewer along Catron Boulevard as an accessory item to the Preliminary Plat to create Lots 4 and 5. The City Council will consider these two items at their February 6, 2012 City Council meeting.

On January 12, 2012, an Exception request (File #12EX005) to waive the requirement to install curb, gutter, sidewalk and street light conduit along Catron Boulevard as it abuts the property was approved as an accessory item to the Preliminary Plat to create Lots 4 and 5.

The property is located southeast of the intersection of E. Stumer Road and Shelby Avenue. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Sewer: The City's Utility System Master Plan does not identify a future sanitary sewer extension or improvement along this portion of Catron Boulevard. In addition, sewer currently exists along Fifth Street, East Stumer Road and Catron Boulevard, east of the property, to serve the applicant's property and surrounding properties. As such, a sewer main is not needed within this portion of Catron Boulevard. Based on these reasons, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sewer along Catron Boulevard be approved with the stipulation that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for the improvement.

The applicant should be aware that upon submittal of a Planned Commercial Development

STAFF REPORT
February 9, 2012

No. 12SV001 - Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Catron Boulevard as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 10

application, sanitary sewer flow analysis for Lot 6 must be submitted demonstrating that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity.

Water: The City's Utility System Master Plan identifies a 12 inch water main along Catron Boulevard to accommodate growth in the southeast portion of the City. However, the 12 inch water main located within East Stumer Road parallels the identified main in Catron Boulevard and can serve as the water connection to the southeast portion of the City in lieu of a main in Catron Boulevard. As such, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install a sewer main along Catron Boulevard be approved with the stipulation that prior to City Council approval, the Preliminary Plat be revised to show the dedication of a minimum 20 foot wide water main easement through Lot 6 from E. Stumer Road to Catron Boulevard for a future 12 inch water main extension. In addition, the applicant must sign a waiver of right to protest any future assessment for the improvement along Catron Boulevard.

The applicant should be aware that upon submittal of a Planned Commercial Development a water use or a demand analysis for Lot 6 must be submitted demonstrating that the water service is adequate to meet estimated domestic flows and required fire flows.

Legal Notification Requirement: The white slips from the certified mailings have been returned to the City. As of this writing, the green cards from the certified mailings have not been returned. Staff will notify the Planning Commission at the February 9, 2012 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquiries regarding this proposal.