

STAFF REPORT
February 22, 2007

No. 07SV004 - Variance to the Subdivision Regulations to waive the requirement to install street light conduit and sewer along Homestead Street as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 35

GENERAL INFORMATION:

PETITIONER

Dream Design International

REQUEST

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EXISTING

LEGAL DESCRIPTION

A parcel of land located in the SW1/4 of the NE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the north center 1/16th corner of said Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, said corner being marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, southerly along the one-quarter 1/4 section line, S00°05'16"E, a distance of 135.90 feet, more or less, to the point of beginning, said point being marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, N90°00'00"E, a distance of 631.62 feet, more or less, to a point marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, curving to the left on a curve with a radius of 462.00 feet, a delta of 09°39'31" an arc length of 77.88 feet, and a chord bearing of N85°10'15"E and chord distance of 77.79 feet, to a point on the westerly edge of existing Concourse Drive right-of-way, said point being marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, southeasterly along the westerly edge of said Concourse Drive right-of-way and curving to the right on a curve with a radius of 438.53 feet, a delta of 09°57'02" an arc length of 76.16 feet, and a chord bearing of S07°07'13"E and chord distance of 76.06 feet, to a point on the westerly edge of existing Concourse Drive right-of-way, said point being marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, southwesterly and curving to the right on a curve with a radius of 538.00 feet, a delta of 09°17'59", an arc length of 87.32 feet, and a chord bearing of S85°21'00"W and chord distance of 87.23 feet, to a point marked with a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, S90°00'00"W, a distance of 631.51 feet, more or less to a point located on the one-quarter 1/4 section line of said

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Section 4, said point being marked by a 5/8 inch rebar with survey cap "RW FISK 6565"; thence, northerly along said 1/4 section line, N00°05'16"W, a distance of 76.00 feet, more or less, to the point of beginning.

PARCEL ACREAGE	Approximately 1.25 acres
LOCATION	West of the intersection of Homestead Street and Concourse Drive
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District and City sewer and water
DATE OF APPLICATION	1/26/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install street light conduit and sewer along Homestead Street as per Chapter 16.16 of the Rapid City Municipal Code be denied without prejudice.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install street light conduit and sewer along 700 feet of Homestead Street located west of Concourse Drive. In addition, the applicant has submitted a SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street for this same section of Homestead Street. The applicant has also submitted a Preliminary Plat to subdivide approximately 15.30 acres located at the western terminus of Homestead Street into 41 residential lots as Phase One of the Copperfield Vista Subdivision. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to provide easements across lots or centered on rear or side lot lines for utilities and drainage on 21 of the proposed lots. The applicant has also submitted an Initial and Final Planned Residential Development to construct 278 single family residential lots on 61.13 acres. In addition, the applicant has submitted an annexation petition to annex 81.03 acres. The applicant has also submitted a Rezoning request to change the zoning designation on 61.13 acres from No Use District to Low Density Residential District. (See companion items

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No. 07SV005, 07PL015, 07SR011, 07PD004, 07AN001, 07RZ008.)

On December 18, 2006, the City Council approved a Layout Plat to create 276 single family residential lots, 64 townhome lots and one multi-family lot. The Layout Plat included the subject property. In addition, the City Council approved a Variance to the Subdivision Regulations to allow a lot twice as long as it is wide. (See companion items No. 06PL177 and 06SV070.)

The property is located at the western terminus of Homestead Street. 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 consideration:

SDCL 11-6-19 Review: As previously indicated, the applicant has submitted a SDCL 11-6-19 Review for the acquisition of street right-of-way and construction of a public street for that portion of Homestead Street located east of the subject property. Any proposed variances to the design standards of the street will be reviewed and approved as a part of the SDCL 11-6-19 Review. As such, staff is recommending that the Variance to the Subdivision Regulations be denied without prejudice.