

STAFF REPORT
March 22, 2007

No. 07SV012 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Bethpage Drive as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07SV012 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Bethpage Drive as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 16 of Red Rock Estates, located in the NW1/4 of Section 29 and a tract of land being 2,147.5 feet by 233 feet, located in the SW1/4 of Section 20; all located in the T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1A and 1B of Block 16 of Red Rock Estates, located in the SW1/4, Section 20 and the NW1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 15.39 acres
LOCATION	North of Bethpage Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/23/2007
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Bethpage

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Drive as per Chapter 16.16 of the Rapid City Municipal Code be continued to the April 5, 2007 Planning Commission meeting to be heard in conjunction with the Preliminary Plat.

GENERAL COMMENTS:

The applicant is requesting a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Bethpage Drive as per Chapter 16.16 of the Rapid City Municipal Code. The applicant has submitted a Preliminary Plat (07PL036) to subdivide approximately 15 acres into two lots in a portion of Red Rock Estates Subdivision.

The subject property is located at the northern terminus of Prestwick Road and is currently void of any structural development.

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

Bethpage Drive: Bethpage Drive is located along a portion of the east property line of the subject property and is classified as a subcollector street requiring that the street be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit, water and sewer. The applicant is requesting a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Bethpage Drive as per Chapter 16.16 of the Rapid City Municipal Code. Staff noted that the extension of Bethpage Drive will provide access to the proposed lot 1B, Block 16 of Red Rock Estates Subdivision and Bethpage Drive is currently constructed with curb, gutter, sidewalk, street light conduit, water, sewer and pavement. In addition on March 4, 2004 City Council denied a Variance to the Subdivision Regulations(04SV003) for a portion of Bethpage Drive that is adjacent to the subject property. As such, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Bethpage Drive as per Chapter 16.16 of the Rapid City Municipal Code be denied.

Staff recommends that the Variance to the Subdivision Regulations be continued to the April 5, 2007 Planning Commission meeting to be heard in conjunction with the Preliminary Plat.