

STAFF REPORT

September 21, 2000

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**SVAR #00SV021 - Variance to the Subdivision  
Regulations to allow sidewalks on one side of the street**

**ITEM 17**

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GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Hart Ranch Development
REQUEST	<b>SVAR #00SV021 - Variance to the Subdivision Regulations to allow sidewalks on one side of the street</b>
LEGAL DESCRIPTION	Lots 21, 22, 23 and 28 all located in Village on the Green No. 2 Subdivision, a portion of previously platted Spiken Ridge Parcel and Golf Course Parcel of Hart Ranch Development located in SE1/4 of the SW1/4 and SW1/4 of the SE1/4 of Section 12, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.407 Acres
LOCATION	Approximately 100 feet west of Mulligan Mile on Hacker Loop
EXISTING ZONING	Planned Unit Development District (County)
SURROUNDING ZONING	
North:	Planned Unit Development District (County)
South:	Planned Unit Development District (County)
East:	Planned Unit Development District (County)
West:	Planned Unit Development District (County)
PUBLIC UTILITIES	Community water and sewer
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to allow sidewalks on one side of the street be approved with the following stipulation:

Urban Planning Division Recommendation:

1. Prior to City Council approval, surety shall be posted for the construction of sidewalk(s) on one side of the street throughout Village on the Green No. 2, or the sidewalk construction shall be completed.

GENERAL COMMENTS: The applicant is requesting a Subdivision Regulations Variance request to waive the construction of sidewalks on one side of the street on the above legally described property. This is a companion item to Preliminary and Final Plat #00PL088 to create four residential lots.

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Until recently, the property has been located in Pennington County's platting jurisdiction. A recent annexation of property located along U. S. Highway 16 has extended the three mile platting jurisdiction of Rapid City and, as such, the subject property is now in Rapid City's platting jurisdiction. In addition, the Rapid City Major Street Plan encompasses this area.

On April 25, 1994, the Pennington County Board of Commissioners approved a Preliminary Plat to create a 45 lot residential development to be known as "Village on the Green No. 2". The subject property is a part of the approved Preliminary Plat. To date, Final Plat approval has been obtained for 30 residential lots in the proposed development. Due to the recent extended boundaries of Rapid City's platting jurisdiction, the remaining lots, including the subject property, will be reviewed by Rapid City to obtain Preliminary and Final Plat approval.

On September 7, 2000, the Planning Commission approved two Preliminary and Final Plats to create four additional townhome lots within Village on the Green No. 2.

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

As previously indicated, in 1994 the County approved a Preliminary Plat for "Village on the Green No. 2". In addition, a Subdivision Regulations Variance was obtained from the County to allow sidewalks on one side of the street. During the review, the County determined that the Planned Unit Development designation was intended to allow for a variety of development styles and alternative design criteria. Based on maintaining street design consistency within the development, staff is recommending approval of the Subdivision Regulations Variance to allow sidewalks on one side of the street. Also, the Rapid City Planning Commission recently recommended approval of a Subdivision Regulations Variance for the recently platted townhome lots along Mulligan Mile waiving the sidewalk requirement for one side.

The Subdivision Regulations Variance granted by the County required that sidewalks be constructed along the south side of Mulligan Mile and along the front lot lines of lots 27 through 30. A staff site inspection has identified that the sidewalk(s) have not been constructed. Staff is recommending that the applicant post surety for the completion for all of the sidewalks as required by this plat and as previously required by the County.