

STAFF REPORT

December 6, 2001

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**No. 01SV034 - Variance to the Subdivision Regulations to allow sidewalks on one side of the street ITEM 27**

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GENERAL INFORMATION:

PETITIONER	Doug Sperlich for James Letner
REQUEST	<b>No. 01SV034 - Variance to the Subdivision Regulations to allow sidewalks on one side of the street</b>
LEGAL DESCRIPTION	Lot 2R and Lot 3 of Debra Subdivision, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.35 acres
LOCATION	At the current northern terminus of Debra Drive
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
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**.

GENERAL COMMENTS:

**This item was continued at the November 21, 2001 Planning Commission meeting to allow the applicant to meet the legal notification requirement. This Staff Report has been revised as of November 26, 2001. All revised or added text is shown in bold text.** The applicant has submitted a Subdivision Regulations Variance request to allow a sidewalk on one side of the street as a companion item to Preliminary and Final Plat #01PL114. Preliminary and Final Plat 01PL114 proposes to reconfigure two lots creating a 1.038 acre lot and a 2.312 acre lot, respectively. Currently, a single family residence is located on proposed Lot 3 and an apartment complex is located on proposed Lot 2R.

STAFF REVIEW:

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

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The City is currently reviewing Final Plat #01PL009 to replat a portion of the subject property creating two lots to be known as Lots 1 and 2 of Debra Subdivision. On November 6, 2000, the City Council approved Preliminary Plat #00PL067 for Lots 1 and 2. In addition, the City Council approved Subdivision Regulations Variance #00PL013 to allow a sidewalk on the east side of Debra Drive for Lots 1 and 2 due to the existing road design standards within the area and since the proposed plat did not increase density. Currently, Debra Drive is a 50 foot wide right-of-way with a 24 foot wide paved surface. In addition, curb and gutter are located on both sides of the street and a sidewalk has been constructed along the east side of the street.

As previously indicated, a sidewalk has been constructed along the east side of Debra Drive. It is anticipated that pedestrians, in particular children, will utilize the sidewalk along Debra Drive to access 38<sup>th</sup> Street on their route to school and parks within the area. Constructing the sidewalk on the east side of Debra Drive minimizes pedestrian traffic crossing at the intersection of Clifton Street and Debra Drive resulting in a safer pedestrian route.

Since the proposed plat does not result in an increase in density, staff is recommending approval of the Subdivision Regulations Variance to allow sidewalks on one side of the street.

During the review of the above referenced Variance to the Subdivision Regulations request, staff identified that the legal description for the subject property on the application was incorrect. As such, staff is recommending that this item be continued to allow the legal notification requirement to be met. **The legal notification, with the corrected legal description, has been completed.**