

STAFF REPORT

September 4, 2003

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**No. 03SV030 - Variance to the Subdivision Regulations to waive the requirement to install sidewalks on one side of the street as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 13**

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Dan O'Brien
REQUEST	<b>No. 03SV030 - Variance to the Subdivision Regulations to waive the requirement to install sidewalks on one side of the street as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	Lot 3 and a portion of Lot 3A of Fairway Hills P.R.D. and a portion of the unplatted portion, less Lot H1, of the NW1/4 SW1/4 of Section 15, T1N, R7E, BHM, located in the W1/2 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 through 33 of Block 10 of Fairway Hills P.R.D. and dedicated Right-of-Way, located in the W1/2 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.22 acres
LOCATION	East of the intersection of Sheridan Lake Road and Heidiway Lane and along Fairway Hills Drive
EXISTING ZONING	Medium Density Residential District w/Planned Residential Development
SURROUNDING ZONING	
North:	Medium Density Residential District w/Planned Residential Development
South:	Low Density Residential District
East:	Medium Density Residential District w/Planned Residential Development
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	07/25/2003
REPORT BY	Vicki L. Fisher

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalks on one side of the street as per Chapter 16.16 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS:

**This item was continued at the August 21, 2003 Planning Commission meeting at the applicant's request in order to be heard in conjunction with an associated Layout Plat. This Staff Report has been revised as of August 25, 2003. No other part of this Staff Report has been revised.**

The applicant has submitted a Variance to the Subdivision Regulations to allow sidewalks along one side of the street. In addition, the applicant has submitted a Layout Plat to subdivide the subject property into 33 townhome lots. (See companion item #03PL082.)

The property is located east of the intersection of Heidiway Lane and Sheridan Lake Road and is a part of the Fairway Hills Planned Residential Development. 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:

Fairway Hills Planned Residential Development: As previously indicated, the subject property is located within the Fairway Hills Planned Residential Development. The City has granted similar requests to allow a sidewalk on one side of the street within the Fairway Hills Planned Residential Development. Staff has reviewed the proposed sidewalk location(s) and has noted that pedestrian traffic is being adequately addressed with the proposed sidewalk location(s). As such, staff is recommending that the Variance to the Subdivision Regulations to allow sidewalks on one side of the street be approved.

Legal Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the August 21, 2003 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquiries regarding this proposal.