

STAFF REPORT

March 4, 2004

No. 04SV005 - Variance to the Subdivision Regulations to waive the requirement to construct sidewalk on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 15

GENERAL INFORMATION:

PETITIONER	Dan Haggerty for Haggerty's Inc.
REQUEST	No. 04SV005 - Variance to the Subdivision Regulations to waive the requirement to construct sidewalk on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot 1 of Hillsview Subdivision #2 located in the SW1/4 SW1/4 Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .99 acres
LOCATION	1829 Hillsview 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
DATE OF APPLICATION	02/06/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to construct sidewalk on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

1. That a sidewalk continue to be provided along the east side of Red Dale Drive and the north side of West St. Patrick Street.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to provide sidewalks along both sides of Red Dale Drive and West St. Patrick Street. In addition, the applicant has submitted a Layout Plat to subdivide approximately

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one acre into eight townhome lots. (See companion item #04PL006.)

On October 20, 2003 the City Council approved a Preliminary and Final Plat to subdivide 2.5 acres into two lots, including the subject property. In addition, a Variance to the Subdivision Regulations was approved to allow a sidewalk on one side of Red Dale Drive and West St. Patrick Street.

The subject property is located in the northeast corner of the Red Dale Drive/West St. Patrick intersection and is currently void of any structural development.

STAFF REVIEW:

Currently, a sidewalk exists along the east side of Red Dale Drive and the north side of West St. Patrick Street. During the original review of the previous Variance to the Subdivision Regulations to allow sidewalks on one side of the street(s), it was identified that topographic constraints preclude the construction of sidewalk(s) on both sides of the street(s). as such, staff is recommending that the Variance to the Subdivision Regulations be approved with the stipulation that a sidewalk continue to be provided along the east side of Red Dale Drive and the north side of West St. Patrick Street.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the March 4, 2004 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.