

STAFF REPORT  
November 24, 2004

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**No. 04SV066 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Minnesota Street as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 33**

GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for 3 T's Land Development LLC
REQUEST	<b>No. 04SV066 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Minnesota Street as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	NW1/4 SW1/4 less Tract R, less Minnesota Ridge Heights Subdivision, less Lots 18R, 19R and Lot 20, Robbinsdale Addition No. 10, all located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 11 thru 16 and Lots 31 thru 42, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 21.0 acres
LOCATION	West of the intersection of 5th Street and Minnesota Street
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Development Designation
South:	Low Density Residential District w/Planned Development Designation
East:	Low Density Residential District w/Planned Development Designation
West:	Low Density Residential District w/Planned Development Designation
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/28/2004
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

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Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Minnesota Street as per Chapter 16.16 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of the west 330 feet Minnesota Street as it abuts the subject property.

On November 4, 2004, the Planning Commission approved a Preliminary Plat to subdivide the subject property into 17 residential lots and to reconfigure a reservoir lot. The City Council will consider this item at their December 6, 2004 City Council meeting.

Currently, a water reservoir is located on the reservoir lot and is owned by the City. The 17 residential lots are proposed as a part of the Minnesota Ridge Heights Subdivision.

STAFF REVIEW:

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

Sidewalk: The construction plans submitted with the associated Preliminary Plat identify a sidewalk along both sides of Minnesota Street with the exception of the west 330 feet of the street. In this area, the construction plans identify a sidewalk along the north side of the street only. The topographic information submitted with the Preliminary Plat identifies that the terrain sharply slopes to the south within this area. As such, the applicant is requesting that a Variance to the Subdivision Regulations to waive a sidewalk along the south side of the street be granted. Staff has noted that the proposed sidewalk along the north side of the street will provide pedestrian access along this corridor. In addition, the severe terrain along the south side of the street does not provide a safe pedestrian walkway. As such, staff is recommending that a Variance to the Subdivision Regulations to waive the requirement to provide a sidewalk along the south side of the street be approved.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the November 24, 2004 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.

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