

STAFF REPORT
February 10, 2005

No. 05SV001 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Meadow Lane and to waive the requirement to install sidewalk and water along Meadow Lane Court as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Jim Hansen for Premier Homes, Inc.
REQUEST	No. 05SV001 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Meadow Lane and to waive the requirement to install sidewalk and water along Meadow Lane Court as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot 27 of Twilight Hills Subdivision located in the SE1/4 SE1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 27A, 27B and 27C of Twilight Hills Subdivision located in the SE1/4 SE1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .69 acres
LOCATION	Southeast of Meadow Lane Court and Meadow Lane
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	01/14/2005
REVIEWED BY	Renee Catron-Blair / David L. Johnson

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Meadow Lane and to waive the requirement to install sidewalk and water along Meadow Lane Court as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

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1. Prior to approval by the City Council, the applicant shall sign a waiver of right to protest any future assessments for the installation of sidewalk along Meadow Lane and Meadow Lane Court and water main along Meadow Lane Court.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Meadow Lane and a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and pavement along Meadow Lane Court as it abuts the subject property. The applicant has also submitted a Preliminary Plat to subdivide 0.69 acres into three lots: Lot 27A, 27B and 27C. (See companion item #05PL005.)

The subject property is located along Meadow Lane in Twilight Hills Subdivision. Currently, there are no structures located on the subject property. The property is located within Pennington County's zoning jurisdiction. The property is zoned Suburban Residential Zoning District by Pennington County requiring a minimum lot size of 6,500 square feet. The proposed lots are 9,813 square feet, 9,807 square feet and 10,099 square feet in size respectively.

STAFF REVIEW:

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

Meadow Lane: Meadow Lane is located along the west lot line of the subject property and is classified as a sub-collector street requiring that the street be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Meadow Lane is located in a 50 foot wide right-of-way with a 27 foot wide paved surface. Presently there is no curb, gutter, sidewalk or street light conduit installed in Meadow Lane. A Variance to the Subdivision Regulations has been obtained in conjunction with the Layout Plat application for these street improvements. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement for the construction of sidewalk along Meadow Lane. Water and sewer improvements are currently installed.

Requiring the installation of sidewalk on Meadow Lane as it abuts the subject property will result in discontinuous sidewalks. Sidewalks are currently only constructed on the opposite side of Meadow Lane. There would be no continuity of sidewalk to the north or south if sidewalks are installed on the east side of Meadow Lane. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the sidewalk along Meadow Lane be approved with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvement.

Meadow Lane Court: Meadow Lane Court is located along the north lot line of the subject property and is classified as a lane/place street requiring that the street be located in a

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minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Meadow Lane Court is located in an approximate 50 foot wide right-of-way with an 18 foot wide graveled surface. An existing water main serving the Rapid Valley Low Level Zone is located on Meadow Lane. A four-inch line from the high-pressure zone has been extended from Reservoir Road to the east end of Meadow Lane Court to serve the adjacent existing properties. There is no water main currently constructed in Meadow Lane Court. The Rapid Valley Sanitary District staff has not requested the installation of the water main from the end of Meadow Lane Court to Meadow Lane as it would connect different pressure zones. Presently there is no pavement, curb, gutter, sidewalk, street light conduit installed in Meadow Lane Court. A Variance to the Subdivision Regulations has been obtained for these street improvements. Requiring installation of sidewalk on Meadow Lane Court as it abuts the subject property will interfere with the operation of the open drainage channels. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the installation of sidewalk and water main along Meadow Lane Court be approved with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements.

Legal Notification Requirement: The receipts from the certified mailings have not been returned as of this writing. Staff will notify the Planning Commission at the February 10, 2005 Planning Commission meeting if this requirement is not met.