

STAFF REPORT  
July 27, 2006

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**No. 06SV041 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Reservoir Road; and a Variance to the Subdivision Regulations to reduce the pavement width along Reservoir Road as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 48**

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Lifestyle Homes
REQUEST	<b>No. 06SV041 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Reservoir Road; and a Variance to the Subdivision Regulations to reduce the pavement width along Reservoir Road as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	Lots 6 and 8, Block 18, Trailwood Village, located in the E1/2 SE1/4, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 6A, 6B, 8A & 8B, Block 18, Trailwood Village, formerly Lots 6 and 8, Block 18, Trailwood Village, located in the E1/2 SE1/4, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .733 acres
LOCATION	Between Savannah Street and Reservoir Road and south of Mercury Drive
EXISTING ZONING	Planned Unit Development (Pennington County)
SURROUNDING ZONING	
North:	Planned Unit Development (Pennington County)
South:	Planned Unit Development (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Planned Unit Development (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	6/30/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Reservoir Road; and, the Variance to the Subdivision Regulations to reduce the pavement width along Reservoir Road 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 curb, gutter, sidewalk, street light conduit and additional pavement along Reservoir Road. In addition, the applicant has submitted a Preliminary Plat to subdivide two existing lots into four townhome lots. (See companion item #06PL101.)

The property was originally platted in 2004. In addition, a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement along Reservoir Road was obtained with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements. The applicant subsequently signed the waiver document.

The property is located west of Reservoir Road and east of Savanna Street. Currently, a townhome unit is located on each lot.

STAFF REVIEW:

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

Reservoir Road: Reservoir Road is located along the east lot line and is classified as a principal arterial street requiring that it be located in a minimum 100 foot wide right-of-way. In addition, it is the responsibility of the developer to construct an arterial street to a collector street standards with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Reservoir Road is located in a 83 foot wide right-of-way and constructed with a 24 foot wide paved surface, water and sewer. (Seventeen additional feet of right-of-way was dedicated from the subject property during the platting process approved in 2004.) Requiring the improvement of Reservoir Road as it abuts the subject property will result in a discontinuous street section. The Planning Commission and the City Council have granted similar Variance requests when the requirement to improve the street would result in a discontinuous street section. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the improvements along Reservoir Road be approved. Please note that the applicant has previously signed 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 July 27, 2006 Planning Commission meeting if this requirement is not met.

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