

STAFF REPORT

January 10, 2002

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**No. 01SV035 - Variance to the Subdivision Regulations to waive the ITEM 20 requirement for curb, gutter, sidewalk and street light conduit**

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GENERAL INFORMATION:

PETITIONER	Victor Mantei for Canyon Lake Church of God
REQUEST	<b>No. 01SV035 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk and street light conduit</b>
EXISTING LEGAL DESCRIPTION	Lot 1 in SW1/4 SW1/4 less Lot H1 & H2, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1, 2 and 3, Hillsvie Estates, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.45 acres
LOCATION	1829 Hillsvie 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	11/20/2001
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's request to withdraw the Variance to the Subdivision Regulations to waive the requirement for curb, gutter and street light conduit; and that the Variance to the Subdivision Regulations to waive the requirement for sidewalks be approved with the following stipulation:

Engineering Division Recommendation:

1. That a sidewalk shall be construction along the north side of W. St. Patrick Street.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations request to waive the requirement to install curb, gutter, street light conduit and

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sidewalks along Hillsvie Drive, Red Rock Drive and W. St. Patrick Street.

The applicant has also submitted a Layout Plat to subdivide the subject property, a 2.45 acre parcel, into three lots ranging in size from approximately .5 acres to 1.2 acres. (See companion item #01PI119.) Currently, a 4,900 square foot church, Canyon Lane Church of God, is located on proposed Lot 1. Proposed Lots 2 and 3 are currently void of any structural development.

#### STAFF REVIEW:

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

Curb, gutter and street light conduit: Currently, curb, gutter and street light conduit are installed along Hillsvie Drive, Red Dale Drive and W. St. Patrick Street as they abut the subject property. As such, staff recommends that the Planning Commission acknowledge the applicant's request to withdraw this portion of the Variance to the Subdivision Regulations.

Sidewalk: The City has identified a road improvement project for Hillsvie Drive and W. St. Patrick Street to be completed within the next two years. The construction plans for the project identify the construction of a sidewalk along the east side of Hillsvie Drive. A guard rail currently exists along the west side of Hillsvie Drive due to the severe terrain differential along this portion of the subject property. In addition, a sidewalk currently exists along the west side of Red Dale Drive to accommodate pedestrian traffic within the area. As such, staff is recommending that a Variance to the Subdivision Regulations to waive the requirement to install a sidewalk along the east side of Red Dale Drive and along Hillsvie Drive be approved.

The Engineering Division has indicated that the road improvement project also identifies the construction of an eight foot wide bike path along the north side of W. St. Patrick Street. As such, the Engineering Division has indicated that the applicant must construct a four foot sidewalk along the north side of W. St. Patrick Street as a subdivision improvement. The City will expand the sidewalk to eight feet upon completion of the road improvement project, meeting the width requirements for the bike path. Currently, a guard rail is located along the south side of W. St. Patrick Street due to the severe terrain differential between the roadway and the adjacent property(s). The severe grades within this area preclude the construction of a sidewalk. As such, staff is recommending that a sidewalk be constructed along the north side of W. St. Patrick Street as identified.

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