STAFF REPORT
May 6, 2004

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**No. 04SV023 - Variance to the Subdivision Regulations to waive the      ITEM 33
requirement to provide additioanl right-of-way along Middle Valley
Drive as per Chapter 16.16 of the Rapid City Municipal Code**

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GENERAL INFORMATION:

PETITIONER                    Centerline, Inc. for 3 T's Land Development LLC

REQUEST                       **No. 04SV023 - Variance to the Subdivision
                              Regulations to waive the requirement to provide
                              additional right-of-way along Middle Valley Drive as
                              per Chapter 16.16 of the Rapid City Municipal Code**

EXISTING
LEGAL DESCRIPTION             NW1/4 SW1/4 less Tract R in the NW1/4 SW1/4 and less
                              NE1/4 NE1/4 NE1/4 NW1/4 SW1/4; N1/2 N1/2 N1/2 N1/2
                              SW1/4 SW1/4, all in Section 13, T1N, R7E, BHM, Rapid
                              City, Pennington County, South Dakota

PROPOSED
LEGAL DESCRIPTION             Lots 1 thru 10 and 42 thru 47, located I n the SW1/4,
                              Section 13, T1N, R7E, BHM, Rapid City, Pennington
                              County, South Dakota

PARCEL ACREAGE                Approximately 40.96 acres

LOCATION                      Along Minnesota Street west of 5th Street

EXISTING ZONING               Low Density Residential District (PDD)

SURROUNDING ZONING
  North:                      Low Density Residential District
  South:                      General Agriculture District
  East:                       Low Density Residential District
  West:                       General Agriculture District

PUBLIC UTILITIES              City sewer and water

DATE OF APPLICATION           04/08/2004

REVIEWED BY                   Vicki L. Fisher / Sig Zvejnieks

RECOMMENDATION:
    Staff recommends that the Variance to the Subdivision Regulations to waive the requirement
    to provide additional right-of-way along Middle Valley Drive 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 reduce the right-
    of-way width for Middle Valley Drive from 52 feet to 50 feet.  The applicant has also

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submitted a Preliminary Plat to subdivide the subject property, a 40.96 acre parcel, into 16 residential lots leaving an approximate 30 acre non-transferable balance.  In addition, the applicant has submitted a Master Plan for the entire 40.96 acre parcel showing the future subdivision of the balance of the property into 31 additional residential lots.  Please note that this street is not located within the associated Preliminary Plat but rather within the balance as shown on the Master Plan.  (See companion item #04PL048.)

On February 2, 2004, the City Council approved a Layout Plat for the entire 40.96 acre parcel to create a 47 lot residential development.  The subject property is located at the western terminus of Minnesota Street and is currently void of any structural development.

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

Middle Valley Drive:  Middle Valley Drive, located east of the subject property, was originally designed as a cul-de-sac street to serve 19 residential lots and classified as a lane place street requiring a minimum 49 foot wide right-of-way.  The applicant is now proposing to extend Middle Valley Drive through the subject property and, as such, the street will serve 43 residential lots.  With the extension of Middle Valley Drive as identified, the street is now classified as a sub-collector street requiring a minimum 52 foot wide right-of-way.  Currently, that portion of Middle Valley Drive constructed east of the subject property is located in a 50 foot wide right-of-way.  Requiring that an additional two feet of right-of-way be dedicated for this portion of Middle Valley Drive will result in a discontinous street section.  As such, staff is recommending that the Variance to the Subdivision Regulations be approved as proposed.

Legal Notification Requirement:  The receipts from the certified mailings have not been returned.  Staff will notify the Planning Commission at the May 6, 2004 Planning Commission meeting if this requirement is not met.  Staff has not received any calls or inquires regarding this proposal.