

STAFF REPORT

September 7, 2000

**SVAR #00SV019 - Variance to the Subdivision
Regulations to allow sidewalks on one side of the street**

ITEM 26

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Hart Ranch Development
REQUEST	SVAR #00SV019 - Variance to the Subdivision Regulations to allow sidewalks on one side of the street
LEGAL DESCRIPTION	Lot A of Lot 41 and Lot B of Lot 41 of Village on the Green No. 2, Section 12, T1S, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .334 Acres
LOCATION	On Mulligan Mile west of the intersection of Horseshoe Loop
EXISTING ZONING	Planned Unit Development District (County)
SURROUNDING ZONING	
North:	Planned Unit Development District (County)
South:	Planned Unit Development District (County)
East:	Planned Unit Development District (County)
West:	Planned Unit Development District (County)
PUBLIC UTILITIES	Community sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to allow sidewalks on one side of the street be approved with the following stipulation:

Urban Planning Division Recommendations:

1. Prior to City Council approval, surety shall be posted for the construction of sidewalk(s) on one side of the street throughout Village on the Green No. 2, or the sidewalk construction shall be completed.

GENERAL COMMENTS: The applicant is requesting a Subdivision Regulations Variance request to waive the construction of sidewalks on one side of the street on the above legally described property. This is a companion item to Preliminary and Final Plat #00PL084 to create two townhome lots.

Until recently, the property has been located in Pennington County's platting jurisdiction. A recent annexation of property located along U. S. Highway 16 has extended the three mile

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planning jurisdiction of Rapid City and, as such, the subject property is now in Rapid City's planning jurisdiction. In addition, the Rapid City Major Street Plan encompasses this area.

On April 25, 1994, the Pennington County Board of Commissioners approved a Preliminary Plat to create a 45 lot residential development to be known as "Village on the Green No. 2". The subject property is a part of the approved Preliminary Plat. To date, Final Plat approval has been obtained for 30 residential lots in the proposed development. Due to the recent extended boundaries of Rapid City's planning jurisdiction, the remaining lots, including the subject property, will be reviewed by Rapid City to obtain Preliminary and Final Plat approval.

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

As previously indicated, in 1994 the County approved a Preliminary Plat for "Village on the Green No. 2". In addition, a Subdivision Regulations Variance was obtained from the County to allow sidewalks on one side of the street. During the review, the County determined that the Planned Unit Development designation was intended to allow for a variety of development styles and alternative design criteria. The provision for sidewalks to be allowed on one side of the streets was allowed to enhance the rural quality of the subdivision that Hart Ranch is attempting to create and that now exists in other areas of Hart Ranch. The applicant also indicated that the close proximity of the golf course located along the south and north lot lines of the development allows for an open space to facilitate as a common area for the residents of the subdivision. Based on this criteria and to maintain street design consistency within the development, staff is recommending approval of the Subdivision Regulations Variance to allow sidewalks on one side of the street.

The Subdivision Regulations Variance granted by the County required that sidewalks be constructed along the south side of Mulligan Mile and along the front lot lines of lots 27 through 30. A staff site inspection has identified that the sidewalk(s) have not been constructed. Staff is recommending that the applicant post surety for the completion for all of the sidewalks as required by this plat and as previously required by the County.