

STAFF REPORT

September 6, 2001

No. 01SV025 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk, street light conduit, water and sewer for Reservoir Road

ITEM 24

GENERAL INFORMATION:

PETITIONER	Ron & Mary Ann Davis
REQUEST	No. 01SV025 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk, street light conduit, water and sewer for Reservoir Road
LEGAL DESCRIPTION	Lots 1 thru 18 of Buffalo Ridge Subdivision formerly: unplatted all located in: NW1/4 NW1/4 of Section 11, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.5 Acres
LOCATION	800 feet south of the intersection of Twilight Drive and Reservoir Road
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
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk, street light conduit, water and sewer for Reservoir Road be approved with the following stipulations:

Engineering Division Recommendation:

1. Prior to City Council approval, a waiver of right to protest an assessment district for the remaining improvements for Reservoir Road for Lots 1 thru 18, Buffalo Ridge Subdivision shall be signed; and,

Pennington County Highway Department Recommendation:

2. Prior to City Council approval, the applicant shall enter into an agreement guaranteeing payment to Pennington County for the cost of the Pennington County Highway Department's improvement of Reservoir Road for that portion of the road that abuts the subject property.

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GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk, street light conduit, water and sewer for Reservoir Road. The applicant has also submitted a Preliminary and a Final Plat to subdivide the subject property into 18 residential lots. The property is located approximately 800 feet south of the intersection of Twilight Drive and Reservoir Road on the east side of Reservoir Road. Currently, a single family residence and a detached garage are located on proposed Lot 18 and an accessory structure is located across the common lot line between Lot 14 and Lot 15.

STAFF REVIEW: The Pennington County Highway Department has indicated that the County will be improving a portion of Reservoir Road in the year 2004 and/or 2005. The road project includes that portion of Reservoir Road abutting the subject property. The road improvement project will include repaving the street and adding curb and gutter along the east side of the road. The Pennington County Highway Department has indicated that in lieu of improving Reservoir Road to City design standards, the applicant could contribute towards the cost of the County's project to improve Reservoir Road as identified for that portion of the road located adjacent to the subject property. The Engineering Division has also indicated that, in addition, the applicant must sign a waiver of right to protest a future assessment for the remaining improvements for Reservoir Road for Lots 1 thru 18 of Buffalo Subdivision.

Staff is recommending the Variance to the Subdivision Regulations to waive improvements on Reservoir Road be approved contingent upon the applicant signing an agreement with the County guaranteeing payment for the Reservoir Road improvements as described above and signing a waiver of right to protest a future assessment form.