

STAFF REPORT

July 27, 2000

SVAR #00SV012 - Variance to the Subdivision Regulations to allow platting of 1/2 of a right-of-way for Anderson Road and for Southside Drive and to waive the requirement for street light service and for dry sewers

ITEM 15

GENERAL INFORMATION:

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| PETITIONER | Dave Olson |
| REQUEST | SVAR #00SV012 - Variance to the Subdivision Regulations to allow platting of 1/2 of a right-of-way for Anderson Road and for Southside Drive and to waive the requirement for street light service and for dry sewers |
| LEGAL DESCRIPTION | Lots 1-14 of Block 1, Lots 1-8 of Block 2, Lots 1-17 of Block 3, Lots 1-13 of Block 4, and Lots 1-6 of Block 5 of Winton Subdivision, located in the NE1/4 of Section 26, T1N, R8E, BHM, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 67.5 Acres |
| LOCATION | West of the Rapid City sewage treatment plant and south of Green Valley Estates |
| EXISTING ZONING | Suburban Residential District (County) |
| SURROUNDING ZONING | |
| North: | Suburban Residential District (County) |
| South: | Limited Agriculture District (County) |
| East: | General Agriculture District (County) |
| West: | Suburban Residential District/General Agriculture District (County) |
| PUBLIC UTILITIES | Septic Systems Individual Wells |
| REPORT BY | Bill Lass |

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to allow platting of 1/2 of a right-of-way for Anderson Road and for Southside Drive be approved. Staff further recommends that the Variance to the Subdivision Regulations to waive the requirements for the installation of street light conduit and the installation of dry sewers be approved for Lots 1-5 of Block 1, Lots 6 and 7 of Block 1, and Lots 1-5 of Block 2 of Winton Subdivision and denied for the remaining lots.

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GENERAL COMMENTS: This Subdivision Variance request has been submitted to waive several requirements identified as part of the June 29, 2000 Planning Commission approval of a Preliminary and Final Plat for the second phase of Winton Subdivision. That Preliminary and Final Plat proposed to plat seven lots along the west side of Anderson Road south of the intersection of Anderson Road and Southside Drive. The lots ranged in size from 1.002 acres to 1.419 acres. The subject property is located within Rapid City's three-mile platting area and is zoned Suburban Residential through Pennington County. The subject property was included as part of a Layout Plat approved in October, 1999 for Winton Subdivision. The Layout Plat proposed to plat fifty-five lots on a 67.5 acre site. A Preliminary and Final Plat for the first five lots of Winton Subdivision was also approved in October, 1999. Also, in October, 1999 a Subdivision Variance was granted waiving the requirement to install sidewalks and curb and gutter along Southside Drive and Anderson Road and to allow lots more than twice as long as wide.

The current Subdivision Variance request specifically seeks to waive the following requirements:

- (1) The platting of only one-half of a public right-of-way for Anderson Road and Southside Drive. Both Anderson Road and Southside Drive are located along section line highway. This section line highway has not previously been dedicated as public right-of-way. The petitioner is now required to plat the road as public right-of-way as part of the platting process. The City Subdivision Regulations, however, do not allow the platting of a "half street" and therefore the petitioner must attain a Subdivision Variance to allow him to plat his one-half of the roadway.
- (2) The waiver of the installation of dry sewer and street light conduit for all fifty-five lots included in the original Layout Plat. The City's Subdivision Regulations require that both of these improvements be constructed as part of any platting. Dry sewers are sewer lines that are constructed in advance of there being central sewer service available to a particular property. Once the dry lines are constructed they can be "activated" in the future by connecting them to sewer mains once they become available. The street light conduit requirement consists of the developer installing the necessary electrical service for future street lights. The lights are then installed later by the City or County in cooperation with the electrical company.

STAFF REVIEW: Staff has reviewed this Subdivision Variance request and is recommending partial approval of the request. Staff is supportive of allowing the platting of "half-streets" for Anderson Road and Southside Drive. The petitioner only owns one-half of the section line highway and therefore cannot plat the other one-half of the two roadways. Furthermore, both

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roadways are already in existence and the granting of this Subdivision Variance in no way affects the status of the current roadway.

Staff is recommending approval of the Subdivision Variance for the dry sewer and street light conduit only for the twelve lots reflected in the first two phases of platting in Winton Subdivision. Staff has noted that there are no immediate plans for extending central sewer service to this property. However, the property is located approximately one-half mile from the City's wastewater treatment plant. Future annexations in this area could result in the extension of sewer main to this property. For this reason, Staff is recommending that the Subdivision Variance for the dry sewer be granted only for the first two phases of development. Any further platting will again require that these improvements be constructed.

The receipts from the required notification of surrounding property owners have not yet been returned by the petitioner. Staff has not received any objections or inquiries regarding this request.