

STAFF REPORT

February 21, 2002

No. 02SV001 - Variance to the Subdivision Regulations to allow sidewalks on one side of the interior street and to waive the requirement to install sidewalk, curb and gutter, street light conduit, dry sewer and water on the access easement

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GENERAL INFORMATION:

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| PETITIONER | Fisk Land Surveying for Dakota Land Development |
| REQUEST | No. 02SV001 - Variance to the Subdivision Regulations to allow sidewalks on one side of the interior street and to waive the requirement to install sidewalk, curb and gutter, street light conduit, dry sewer and water on the access easement |
| EXISTING LEGAL DESCRIPTION | Lot 1 of Lot F-1 of Fish Hatchery Subdivision and the north 545.31 feet of Lot F-1 of Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 22.7 Acres |
| LOCATION | On Jackson Boulevard/West S.D. Highway 44 north of the Fish Hatchery |
| EXISTING ZONING | Park Forest District |
| SURROUNDING ZONING | |
| North: | Medium Density Residential District |
| South: | Flood Hazard District |
| East: | Flood Hazard District |
| West: | Park Forest District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 12/28/2001 |
| REPORT BY | Vicki L. Fisher |

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow sidewalks on one side of the interior street and to waive the requirement to install sidewalk, curb and gutter, street light conduit, dry sewer and water on the access easement **be approved with the following stipulations:**

- 1. The sidewalk along the interior street shall be constructed as a four foot wide concrete sidewalk meeting all of the design standards set forth in the Street Design**

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- Criteria Manual ; and,**
- 2. Prior to City Council approval, the applicant shall sign an agreement to consent to a future assessment project for the improvements.**

GENERAL COMMENTS:

This item has been continued from the January 24, 2001 Planning Commission meeting. This Staff Report has been revised as of February 13, 2002. All revised or added text is shown in bold text. The applicant has submitted a Variance to the Subdivision Regulations to allow sidewalks on one side of the street. The applicant has also submitted a Preliminary and Final Plat proposing to subdivide the property into a seven lot residential development. (See companion item #01PL110.) In addition, the applicant is requesting approval of an Initial and Final Residential Development Plan to allow seven single family residential lots on the subject property. (See companion item #01PD065.) The proposed development will be known as Vista Lake Subdivision. Currently, an unoccupied building is located on proposed Lot 1. At one time the building was the site of the Johnson Siding Volunteer Fire Department.

On November 16, 1998, a Layout Plat was approved to create an approximate one acre lot in the southeast corner of the subject property. In addition, a Master Plan was submitted identifying that the remaining balance would eventually be subdivided into seven lots ranging in size from .5 acres to 11.8 acres. The Master Plan identified one approach located along Jackson Boulevard extending to form an approximate 500 foot long cul-de-sac to serve as access to the property.

On July 16, 2001, the City Council approved a Preliminary and Final Plat to subdivide a four acre portion of the subject property into one lot. The applicant is now proposing to replat the four acre lot as a part of the proposed Vista Lake Subdivision as shown on Preliminary and Final Plat 01PL110.

STAFF REVIEW:

Staff has reviewed the Variance to the Subdivision Regulations and has identified the following considerations:

Access Easement: The associated plat identifies a 100 foot long access easement extending west from the end of the proposed cul-de-sac. The access easement is located along the common lot line between Lots 5 and 6. The applicant has indicated that a shared driveway will be constructed to serve as access to both lots. The topographic constraints within this area of the subject property support that a shared driveway be allowed. The Engineering Division has indicated that the access easement will act as a private driveway to the two properties. As such, the Engineering staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter, street light conduit, dry sewer and water on the access easement be approved. Staff recommends that the

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applicant sign an agreement to consent to a future assessment project for the improvements.

Interior Road: The road construction plans for the interior road identifies a sidewalk along the south side of the road. The Engineering Division has indicated that severe slopes along the north side of the road will require that a retaining wall be constructed along portions of the road. Allowing a sidewalk along one side of the road will provide for pedestrian travel along the roadway. As such, staff is recommending that the Variance to the Subdivision Regulations to allow a sidewalk along one side of the interior road be approved contingent upon the sidewalk being constructed as required by the Street Design Criteria Manual. In addition, staff is recommending that the applicant sign an agreement to consent to a future assessment project for the improvement.

Legal Notification Requirement: The receipts from the certified mailings have been returned. Staff has received three calls regarding this proposal. All of the callers indicated that they did not have a concern with the proposed Variance to the Subdivision Regulations request.