

STAFF REPORT

May 9, 2002

No. 02SV020 - Variance to the Subdivision Regulations to allow lots twice as long as wide, to allow 25 foot reserve strip adjacent to Lot 1 of Block 1, waive the requirement for sidewalk on Nicklaus Drive and Meadowbrook Drive and to allow curbside sidewalk with roll curb on Ward Court

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GENERAL INFORMATION:

PETITIONER	FMG, Inc. for George and Nancy Dunham
REQUEST	No. 02SV020 - Variance to the Subdivision Regulations to allow lots twice as long as wide, to allow 25 foot reserve strip adjacent to Lot 1 of Block 1, waive the requirement for sidewalk on Nicklaus Drive and Meadowbrook Drive and to allow curbside sidewalk with roll curb on Ward Court.
EXISTING LEGAL DESCRIPTION	The unplatted portions of the E1/2 NE1/4 SE1/4, the W1/2 NE1/4 SE1/4 and the E1/2 NE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 through 14 of Block 1 and Lots 1 through 6 of Block 2 of Dunham Estates and dedicated public right of way shown as Ward Drive and Ward Court located in NE1/4 NE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.
PARCEL ACREAGE	Approximately 20.6 acres
LOCATION	West of Sheridan Lake Road, north of Corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	Park Forest District/Low Density Residential District
West:	Low Density Residential District /Planned Residential Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	03/28/2002
REPORT BY	Lisa Seaman

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RECOMMENDATION:

Staff recommends approval of the Variance to the Subdivision Regulations to allow lots twice as long as wide, to allow 25 foot reserve strip adjacent to Lot 1 of Block 1 and to waive the requirement for sidewalk on Meadowbrook Drive and to deny without prejudice the request to waive the requirement for sidewalk on Nicklaus Drive and to allow curbside sidewalk with roll curb on Ward Court.

GENERAL COMMENTS: This item was continued from the April 25, 2002 Planning Commission meeting. (Updates to the staff report are shown in bold.) This Subdivision Regulations Variance request is the companion item to the Preliminary and Final Plat request for Lots 1 through 14, Block 1 and Lots 1 through 6, Block 2 of Dunham Subdivision (see companion item #02PL038). The property is located east of the Parkridge Village development and adjacent to Nicklaus Drive. The Preliminary and Final Plat request associated with this Subdivision Regulations Variance request has been submitted to subdivide an approximately 20.8 acre site into 20 lots. This area was identified on the Layout Plat that was approved by the City Council on September 17, 2001 as Phase 1. The lots in Phase 1 range in size from 0.61 acres to 3.1 acres.

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

Reserve Strip: The applicant is proposing to leave a 25 foot reserve strip of land between the east lot line of Lot 1 of Block 1 and the section line and has requested a Variance to the Subdivision Regulations to allow for the reserve strip of land. The Master Plan submitted with the Layout Plat previously approved by the City Council for this property showed a 25 foot reserve strip of land located between Lots 1 and 2 of Block 1 that provided access to the open space identified along the east side of the subject property. However, it appears that the open space has been removed in conflict with the approved Layout Plat master plan. Staff has requested that the applicant provide a revised master plan for the entire property to identify the function of the reserve strip. **The applicant has submitted a revised master plan indicating that the 25 foot reserve strip will provide access to a future estate lot located south of Nicklaus Drive.**

Sidewalk along Nicklaus Drive and Meadowbrook Drive: Currently, sidewalk exists only along the north side of Nicklaus Drive and the west side of Meadowbrook Drive, south from the intersection of Meadowbrook Drive and Nicklaus Drive. The applicant has requested a Subdivision Variance request to waive the requirement to construct sidewalks along the east side of Meadowbrook Drive that abuts the subject property and along the south side of Nicklaus Drive. The subject property abuts the Meadowbrook Drive right of way for approximately 140 feet. Staff has noted that sidewalk constructed along the south side of Meadowbrook Drive right of way would not connect to an existing sidewalk. Staff supports

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the applicant's request to waive the requirement to construct sidewalk along the Meadowbrook Drive right of way. However, staff does not support the applicant's request to waive the construction of sidewalk along the south side of Nicklaus Drive. The applicant has noted that sidewalk along the south side of Nicklaus Drive will not connect to existing sidewalk at the east or west edge of the subject property. Staff finds that the provision of sidewalk along the south side of Nicklaus Drive will provide pedestrian traffic leaving the subdivision with a safe route to intersections where sidewalks currently exist and is recommending denial of the request to waive the construction of sidewalk along the south side of Nicklaus Drive. **On May 1, 2002 the applicant's engineer submitted revised design plans showing sidewalk along Nicklaus Drive. The plans show a five foot wide sidewalk located three feet from the back of the curb along Nicklaus Drive. The three foot section between the curb and the sidewalk will be filled with exposed aggregate concrete.**

Nicklaus Drive is classified as a collector on the adopted Major Street Plan and the Street Design Criteria Manual requires that property line sidewalk be installed along a collector street. A Special Exception to the Street Design Criteria Manual must be obtained for the reduction of the separation between the back of the curb and the sidewalk from 6.33 feet to three feet. The Engineering Staff has indicated support of the Special Exception if adequate space is available within the right of way for a future water transmission line and the relocated private utilities. Staff has reviewed the request for a Special Exception in conjunction with the Preliminary and Final plat request. For that reason staff recommends that the variance request be denied without prejudice.

Roll curb and curbside sidewalk: The Street Design Criteria Manual precludes the use of roll type curb in combination with curbside sidewalk where the road width is sufficient to accommodate on-street parking. The applicant submitted a Subdivision Regulations Variance request to allow this combination; however, rather than a Variance to the Subdivision Regulations a Special Exception to the Street Design Criteria Manual must be granted to allow for the proposed combination. Staff has reviewed the request as a Special Exception request and addressed the request in the Preliminary and Final Plat staff report.

Lots twice as long as wide: The proposed Preliminary and Final Plat includes several lots that are twice as long as they are wide. Staff has noted that the topography of the property requires deeper lots in some areas to provide for suitable building locations. Therefore, staff recommends approval of the variance request to allow lots with lot length twice the lot width.

The receipts from the required certified mailing have been returned by the applicant. **Staff has received several calls regarding the requested Subdivision Regulations Variance and Preliminary and Final Plat request. The callers expressed concern with the**

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applicant's proposal to provide exclusive access to Phase 2 of the subdivision from Heidiway Lane.