

STAFF REPORT

July 3, 2002

No. 02SV015 - Variance to the Subdivision Regulations to allow lots twice as long as they are wide and to waive the requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks as per Chapter 16.12 and 16.16, respectively of the Municipal Code

ITEM 29

GENERAL INFORMATION:

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| PETITIONER | Renner & Sperlich Engineering Co. for Robert E. Moore |
| REQUEST | No. 02SV015 - Variance to the Subdivision Regulations to allow lots twice as long as they are wide and to waive the requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks as per Chapter 16.12 and 16.16, respectively, of the Municipal Code |
| EXISTING LEGAL DESCRIPTION | Lot 15 of Kepp Heights Subdivision #3, located in the SW1/4 of the NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lots 1 thru 15 of Kepp Heights Subdivision #4, located in the SW1/4 of the NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 14.874 |
| LOCATION | South of Flormann Street and Skyline Drive |
| EXISTING ZONING | Low Density Residential/Planned Development Designation |
| SURROUNDING ZONING | |
| North: | Park Forest District |
| South: | Park Forest District |
| East: | Low Density Residential District |
| West: | Park Forest District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 03/28/2002 |
| REPORT BY | Vicki L. Fisher |

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow lots twice as long as they are wide and the Variance to the Subdivision Regulations to waive the

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requirement to install pavement, curb, gutter, water sewer, street light conduit and sidewalks along Skyline Drive be **approved with the following stipulations:**

Engineering Division Recommendations:

- 1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment to install pavement, curb and gutter, water, sewer, street light conduit and sidewalk improvements along Skyline Drive; and,**
- 2. A sidewalk shall be provided on the south side of Skyline Drive between the interior road and Flormann Street.**

GENERAL COMMENTS:

This item has been continued several times since the April 25, 2002 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of June 24, 2002. All revised or added text is shown in bold print. The applicant has submitted a Subdivision Regulations Variance request to allow lots twice as long as they are wide and to waive all street improvements along Skyline Drive. The applicant has also submitted a Preliminary and Final Plat to subdivide the subject property into 15 residential lots. The property is located approximately 150 feet south of the intersection of Skyline Drive and Flormann Street on the south side of Skyline Drive. (See associated item #02PL028.)

STAFF REVIEW:

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

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The plat identifies that nine of the proposed lots, located on the east side of the proposed interior road, will have a length twice the distance of the width.

The lots are characterized by a steep hill sloping severely to the east along the rear of the properties. The terrain imposes constraints upon the developmental area within the subject property. In addition, the lots are considerably larger than the minimum 6,500 square foot lot size required in the Low Density Residential Development, ranging from .682 acres to 2.553 acres. Based on the constraints imposed by the terrain along the eastern portion of the subject property and the size of the proposed lots, staff is recommending that the Variance to the Subdivision Regulations to allow a lot more than twice as long as it is wide be approved.

Skyline Drive: Currently, Skyline Drive, a 100 foot wide right-of-way with an approximate 24 foot wide paved surface, is located along the west lot line of the subject property.

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Currently, curb, gutter, street light conduit, sidewalks and dry sewer and water have not been constructed along this section of Skyline Drive. Skyline Drive is classified as a collector road requiring a minimum pavement width of 32 feet. Granting the Variance to the Subdivision Regulations as proposed will be consistent with the current road design standards of Skyline Drive. In the past, the Planning Commission and the City Council have granted similar variances when the adjacent sections of roadway are void of the improvement(s). However, a sidewalk is currently located along the north side of Flormann Street. In order to accommodate pedestrian traffic from the proposed interior road to Flormann Street, staff is recommending that a sidewalk be constructed along the south side of Skyline Drive between the proposed interior road and Flormann Street. Staff is recommending that the Variance to the Subdivision Regulations for the balance of the improvements be approved with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements.

Legal Notification Requirement: As of this writing, the receipts from the certified mailings have been returned. Staff has received three telephone calls inquiring about the request. The callers voiced concern with the potential impact any development of the subject property may have on Skyline Drive but did not express concern with the proposed Variance to the Subdivision Regulations request.