

STAFF REPORT

February 20, 2003

No. 03VE002 - Vacation of Note on Plat

ITEM 54

GENERAL INFORMATION:

PETITIONER	Wyss Associates, Inc. for Skyline Pines Development Co.
REQUEST	No. 03VE002 - Vacation of Note on Plat
EXISTING LEGAL DESCRIPTION	Lots 7 and 8, Block 2, Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.34 acres
LOCATION	1501 and 1515 Pevans Parkway
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Park Forest District
West:	Park Forest District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	01/22/2003
REPORT BY	Tom Kurtenbach

RECOMMENDATION: Staff recommends that the vacation of the building setback note requiring all structures be setback a minimum of 100 feet from Skyline Drive be denied.

GENERAL COMMENTS: The applicant is proposing to vacate a note on the plat that requires a 100 foot setback from Skyline Drive for all buildings on Lots 7 and 8, Block 2, Skyline Pines Subdivision. The applicant is proposing to replace the note requiring a 100 foot setback with a note requiring a 50 foot setback from Skyline Drive. Lots 7 and 8 are bordered by Skyline Drive on the south and Pevans Parkway on the north. Access and utilities to both lots are currently provided from Pevans Parkway.

STAFF REVIEW: Staff has reviewed the request to vacate the building setback requirement for Lots 7 and 8 in the Skyline Pines Subdivision and is recommending denial. Extensive community debate occurred over several years regarding development adjacent to Skyline Drive. A key desire expressed by the public has been the protection of the view shed along the historic Skyline Drive road network. The proposed reduction in setback from Skyline Drive will

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reduce the open space corridor along this historic roadway and encourage structural construction in closer proximity to this scenic route.

Skyline Drive has a long history of providing motorists and pedestrians with the natural beauty of the surrounding area. Skyline Drive provides panoramic views of the "hogback ridge", historic downtown, the West Boulevard Historic District, Canyon Lake Park, Dark Canyon, Memorial Park, the western edge of the Badlands, the Black Hills and Harney Peak. The Skyline Drive corridor was submitted for review by the State Scenic Byway Review Committee. Both private citizen groups and public agencies including the South Dakota Department of Transportation have been proactive in preserving the natural beauty of this area.

The vacation of the 100 foot setback note and replacement with a note requiring a 50 foot setback, in conjunction with the vacation of the access restriction (see accompanying item No. 03VE001) will have a significant negative impact on this important community feature. The reduction in the structural setback will erode the protections that were agreed to as part of the original plat approval.

Based on the aforementioned information, Staff recommends that the vacation of the note requiring a 100 foot building setback from Skyline Drive be denied.