

STAFF REPORT

May 8, 2003

No. 03SV017 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and to improve pavement along Sheridan Lake Road and Clarkson Road as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Steve and Diana Ringler
REQUEST	No. 03SV017 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and to improve pavement along Sheridan Lake Road and Clarkson Road as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot 2 of Block 1, Clarkson Subdivision, located in the NE1/4 of the NE1/4 Section 31, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot A and Lot B of Lot 2 of Block 1, Clarkson Subdivision, located in the NE1/4 of the NE1/4 of Section 31, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.96 acres
LOCATION	7989 Clarkson Road
EXISTING ZONING	Suburban Residential District
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Suburban Residential District
East:	Suburban Residential District
West:	Suburban Residential District
PUBLIC UTILITIES	Private on-site wastewater and water
DATE OF APPLICATION	04/09/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and to improve pavement

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along Sheridan Lake Road and Clarkson Road as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

Engineering Division Recommendation:

1. Prior to City Council approval, the applicant shall sign a Waiver of Right to Protest a future assessment for the improvements.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations as outlined above. On April 7, 2003, the City Council approved Layout Plat #03PL022 to subdivide the subject property, a 1.96 acre parcel, into two lots to be known as Lot A and Lot B of Lot 2, Clarkson Subdivision.

The property is located in the southwest corner of the Sheridan Lake Road/Clarkson Road intersection. Currently, a single family residence and a detached garage are located on proposed Lot B of Lot 2. Lot A of Lot 2 is currently void of any structural development.

STAFF REVIEW:

During the review of the Variance to the Subdivision Regulations, staff identified the following considerations:

Sheridan Lake Road: As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk, street light conduit, sewer and water and to improve pavement along Sheridan Lake Road as it abuts the subject property. Currently, these improvements do not exist along this portion of Sheridan Lake Road. During the review of the Subdivision Regulations Variance request, staff noted that proposed Lot A abuts Sheridan Lake Road for a distance of approximately 330 feet. The Rapid City Municipal Code states that sidewalks are not required when the lot has a frontage in excess of two hundred feet per dwelling unit located on the lot. As such, a sidewalk along the south side of Sheridan Lake Road is not required. Based on the adjacent lot frontages, sidewalks are required along the north side of Sheridan Lake Road. However, requiring the improvement would create a discontinuous street design since no other sidewalks currently exist within the area. The Engineering Division has also indicated that the existing ditches along this section of the roadway accommodate the drainage flows as needed. City sewer and water have recently been extended to the Red Rock Estates Subdivision located one-half mile northeast of the subject property. However, the Engineering Division has indicated that the subject property is outside of the existing City's sewer and water service boundaries. To date, the network configuration for the future extension of water and sewer lines within this area has not been designed. In particular, the profile grades for trunk line extensions have not been determined making it difficult for the applicant to know the size and location of these utilities as they abut the subject property. As such, utility plans for the future extension of water and sewer to expand the boundaries

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of City services have not been designed making it difficult for the applicant to construct the improvements at this time. As such, staff is recommending that the Variance to the Subdivision Regulations as requested be approved with the stipulation that the applicant sign a waiver of right to protest a future assessment for the improvements.

Clarkson Road: The applicant is also requesting a Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk, street light conduit, sewer and water along Clarkson Road as it abuts the subject property. Currently, these improvements do not exist along any portion of Clarkson Road. Staff has noted that proposed Lot B abuts Clarkson Road for a distance of approximately 270 feet. During the review of the associated Layout Plat, the City Council stipulated that the plat document be revised to reconfigure proposed Lot A in order to utilize a shared approach for both lots. Depending upon the actual location of the common lot line, Lot A may also abut Clarkson Road for a distance in excess of 200 feet. As noted above, the Rapid City Municipal Code states that sidewalks are not required when the lot has a frontage in excess of two hundred feet per dwelling unit located on the lot. As such, a sidewalk along the west side of Clarkson Road may not be required. Based on the adjacent lot frontages, sidewalks are required along the east side of Clarkson Road. However, requiring the improvement would create a discontinuous street design since no other sidewalks currently exist within the area. The Engineering Division has also indicated that the existing ditches along this section of the roadway accommodate the drainage flows as needed. In addition, the Engineering Division has indicated that sewer and water lines are not required along Clarkson Road citing again that the subject property is located outside of the sewer and water service boundaries. In addition, the Engineering Division again cites that, to date, the network configuration for the future extension of water and sewer lines within this area has not been designed. In particular, the profile grades for trunk line extensions have not been determined making it difficult for the applicant to know the size and location of these utilities as they abut the subject property. As such, staff is recommending that the Variance to the Subdivision Regulations as requested be approved with the stipulation that the applicant sign a waiver of right to protest a future assessment for the improvements.

Legal Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the May 8, 2003 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquiries regarding this proposal.

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