

STAFF REPORT

February 5, 2004

No. 03SV051 - Variance to the Subdivision Regulations to waive the requirement to reduce the easement width from 49 feet to 32 feet, to reduce the easement width from 52 feet to 32 feet, to reduce the pavement width from 27 feet to 24 feet, to waive the requirement to provide sidewalks on both sides of the street, and to allow a lot twice as long as it is wide as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Olsen Development Co., Inc.
REQUEST	No. 03SV051 - Variance to the Subdivision Regulations to waive the requirement to reduce the easement width from 49 feet to 32 feet, to reduce the easement width from 52 feet to 32 feet, to reduce the pavement width from 27 feet to 24 feet, to waive the requirement to provide sidewalks on both sides of the street, and to allow a lot twice as long as it is wide as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Block 5, Windmere Subdivision, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 28, Block 5, Windmere Subdivision, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.57 acres
LOCATION	In the southwest corner of Twilight Drive and Meadow Lane
EXISTING ZONING	Suburban Residential District/Planned Unit Development
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Suburban Residential District/Planned Unit Development
East:	Suburban Residential District/Planned Unit Development
West:	Suburban Residential District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	12/24/2003
REPORT BY	Vicki L. Fisher

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow a lot twice as long as it is wide be tabled and that the Variance to the Subdivision Regulations to waive the requirement to reduce the easement width from 49 feet to 32 feet, to reduce the easement width from 52 feet to 32 feet, to reduce the pavement width from 27 feet to 24 feet and to waive the requirement to provide sidewalks on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulations:

Growth Management Department Recommendations:

1. Upon submittal of a Preliminary Plat, construction plans showing a sidewalk along one side of the street(s) shall be submitted for review and approval;
2. Upon submittal of a Final Plat, the applicant shall submit a copy of a recorded covenants document identifying maintenance of the access easements and the public water and sewer utilities; and,
3. Upon submittal of a Preliminary Plat, road construction plans shall show Haycamp Lane flared with a minimum 36 foot wide pavement width at the Haycamp Lane/Twilight Drive intersection in order to provide a turning lane as per the Street Design Criteria Manual.

GENERAL COMMENTS:

This item was continued at the January 22, 2004 Planning Commission meeting to allow the applicant to meet the certified mailing notification requirement. This Staff Report has been revised as of January 26, 2004. All revised and/or added text is shown in bold print. The applicant has submitted a Variance to the Subdivision Regulations on the subject property as identified above. On January 5, 2004, the City Council approved a Layout Plat to subdivide the subject property into a 28 unit townhome development as an experimental subdivision. In addition, Special Exception(s) were granted to allow a private access easement to serve 28 lots in lieu of four lots and to allow water and sewer mains to be located in public utility easement(s) in lieu of public rights-of-way as per the Street Design Criteria Manual.

The applicant has requested that the City consider the proposed development as an experimental subdivision. As identified during the review of the associated Layout Plat, the applicant is proposing to provide private access easements and public utility easements in lieu of dedicating right-of-way in order to optimize the building areas on the property. This is a unique experiment that other communities are currently allowing in order to provide an alternate design standard.

The property is located in the southwest corner of the Meadow Lane/Twilight Drive intersection and is a part of the Windmere Subdivision. Currently, the property is void of any structural development.

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STAFF REVIEW:

Staff has reviewed the Variance to the Subdivision Regulations 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 proposed plat identifies that each of the townhome lots will have a length twice the distance of the width. However, the original lot, before subdividing into a townhome lot, complies with this requirement. Subsequently, the Variance to the Subdivision Regulations to allow a lot twice as long as wide is not needed. As such, staff is recommending that the Variance to the Subdivision Regulations request be tabled.

Haycamp Lane and Hayloft Lane: The applicant has indicated that Haycamp Lane and Hayloft Lane will be constructed with a 32 foot wide private access easement with a 24 foot wide paved surface, curb, gutter, water, sewer and a five foot wide sidewalk on one side of the street. However, Hayloft Lane and the southern 240 feet of Haycamp Lane are classified as lane place streets as per the Street Design Criteria Manual. As such, the two streets must be constructed with a minimum 49 foot wide right-of-way and a 24 foot wide paved surface, curb, gutter, street light conduit, water, sewer and a five foot wide sidewalk on both sides of the street or a Variance to the Subdivision Regulations must be obtained. In addition, the northern 240 feet of Haycamp Lane is classified as sub-collector street as per the Street Design Criteria Manual. As such, this portion of Haycamp Lane must be constructed with a minimum 52 foot wide right-of-way and a 27 foot wide paved surface, curb, gutter, street light conduit, water, sewer and a five foot wide sidewalk on both sides of the street or a Variance to the Subdivision Regulations must be obtained. As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to provide additional easement width(s) and pavement width(s) along Haycamp Lane and Hayloft Lane. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to provide sidewalks on both sides of the streets.

The Growth Management Department staff and the Pennington County Highway Department staff have noted that the streets will serve as access to a limited number of lots. In addition, the proposed pavement widths of 24 feet for each of the two interior streets allows for parking along both sides of the street(s) as per the Street Design Criteria Manual. As such, the Growth Management Department staff and the Pennington County Highway Department are recommending that the Variances to the Subdivision Regulations be approved as requested with the stipulation that upon submittal of a Preliminary Plat, the applicant submit a copy of a recorded covenants document identifying maintenance of the access easements and the public water and sewer utilities. In addition, road construction

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plans showing Haycamp Lane flared to a minimum 36 foot wide pavement width at the Haycamp Lane/Twilight Drive intersection in order to provide a turning lane as per the Street Design Criteria Manual.

Notification Requirement: **Staff has received two calls inquiring about the Variance to the Subdivision Regulations request. The certified mailing requirement has been met and, as such, staff is recommending that the Variance to the Subdivision Regulations be approved.**