

STAFF REPORT

March 25, 2004

No. 04SV009 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit and sidewalk on one side of the street and to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 04SV009 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit and sidewalk on one side of the street and to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	S1/2 NE1/4, Section 23, T2N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 38 of Block 1, Lots 1 thru 39 of Block 2 and Lots 1 thru 18 of Block 3, Rainbow Ridge Subdivision, Section 23, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 80.1547 acres
LOCATION	West of the intersection of Bunker Drive
EXISTING ZONING	Limited Agriculture District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Limited Agriculture District (County)
East:	Mobile Home Residential District (City)
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	02/27/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit and sidewalk on one side of the street and to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulations:

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1. That curb, gutter and sidewalk be provided along one side of the streets as shown on the Preliminary Plat;
2. The lot approaches along the side of the streets without curb and gutter shall be constructed as part of the subdivision improvements to assure that an adequately sized culvert as per engineering analysis is installed and properly located.;
3. Erosion control measures shall be provided in the ditches as needed;
4. Prior to Preliminary Plat approval by the City Council, the street section shall be revised to provide a minimum separation between the back of the curb and the sidewalk of five feet; and,
5. Prior to Preliminary Plat approval by the City Council, the applicant shall sign a waiver of right to protest any future assessments for the improvement.

General Comments:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water and sewer; to waive the requirement to provide sidewalks on both sides of the street; and, to allow lots twice as long as they are wide. In addition, the applicant has also submitted a Layout Plat to subdivide an 80 acre parcel into 105 residential lots to be known as Rainbow Ridge Subdivision. The applicant has also submitted a Petition for Annexation request to annex the subject property. In addition, the applicant has submitted two Rezoning requests to change the zoning designation on the west half of the subject property from No Use District to Park Forest District and to change the zoning designation on the east half of the subject property from No Use District to Low. The applicant has also submitted a Comprehensive Plan Amendment to the Long Range Comprehensive Plan to change the land use designation on the east half of the subject property from Park Forest to Low Density Residential with a Planned Residential Development. Lastly, the applicant has submitted a Planned Development Designation for the east half of the subject property. (See companion items #04PL014, 04AN001, 04RZ004, 04RZ005, 04CA004 and 04PD009.)

The property is located west of the CHMH Subdivision located along Haines Avenue and is currently void of any structural development.

Staff Review:

Staff has reviewed the Variance to the Subdivision Regulations 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 proposed Preliminary and Final Plat identifies that ten lots have a length twice the distance of the width.

The ten lots are located along the terminus of three cul-de-sac streets. Due to the design of

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the cul-de-sac streets, there is limited lot frontage along the roadway. The subdivision design as shown on this plat is reasonable for the site. In addition, the lot configuration does not create any significant difficulties for use or maintenance. As such, staff is recommending that the Variance to the Subdivision Regulations to allow a lot twice as long as it is wide be approved.

Street Improvements: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb and gutter and to allow sidewalks on one side of the street along two separate streets that serve as access to 20 residential lots. In addition, the applicant has submitted a street section showing the proposed design of the street. In particular, the proposed street section reduces the distance from the back of the curb to the sidewalk from five feet, as per the Street Design Criteria Manual, to three feet for both the sub-collector and the lane place street section. In addition, the borrow ditch side of the sub-collector street section provides 10.33 foot for the ditch with 4:1 slopes. This will allow for a ditch depth (V-ditch section) of only about 1.29 foot. A lesser depth would be available with the proposed lane place street section. To date, data on drainage flow(s) to be carried in the ditch sections has not been presented. It is noted that Pennington County typically calls for a minimum borrow ditch depth of 2.5 foot. The lesser depth proposed will not allow for the installation of adequately sized culverts (typically 12 inch to 18 inch in diameter) at approaches while maintaining adequate cover over the pipes. In addition, the reduced depth will contribute to the increased potential for saturation of the road subgrade and subsequent pavement failure. As such, staff is recommending that there be a minimum separation between the back of the curb and the sidewalk of at least five feet. The distance from edge of the pavement to the slope, on the ditch side of the pavement, may be reduced to two feet. In addition, staff is recommending that the lot approaches along the side of the streets without curb and gutter be constructed as part of the subdivision improvements to assure that an adequately sized culvert as per engineering analysis is installed and properly located. This will insure that adequate depth of ditch section will be provided in order to accommodate anticipated flows in the ditch and through approach culverts. Staff is also recommending that erosion control measures be provided in the ditches as needed. Staff has also noted that the property line may be located closer to the ditch bottom contingent upon adequate drainage easement(s) be provided to insure that the channel capacity is maintained. Staff is also recommending that the applicant sign a waiver of right to protest any future assessment for the improvements prior to City Council approval.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the March 25, 2004 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.