

STAFF REPORT  
July 21, 2005

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**No. 05SV045 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and to reduce the easement width from 49 feet to 26 feet; and, to allow a lot twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 49**

GENERAL INFORMATION:

PETITIONER	Centerline for PLM Land Development, LLC
REQUEST	<b>No. 05SV045 - Variance to the Subdivision Regulations to install curb, gutter, sidewalk, street light conduit, sewer, water and to reduce easement width from 49 feet to 26 feet; and, to allow a lot twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	N1/2 NW1/4, Less Eastridge Estates Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 through 15, Block 1 and Lot 19 Block 2, Eastridge Subdivision; Lots 1 through 15, Block 2, PLM Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 19 acres
LOCATION	Adjacent to the south side of Enchanted Pines Drive and the east and west sides of Luminosity Lane
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density District (Planned Residential Development)
East:	Public District
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/24/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow a lot twice as long as

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**ITEM 49**

wide be approved;

That the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and to reduce the easement width from 49 feet to 26 feet be denied;

That the Exception to allow the access easement to serve six lots in lieu of four lots as per the Street Design Criteria Manual be approved with the following stipulations:

1. Prior to City Council approval, the applicant shall submit documentation demonstrating maintenance of the access easement; and
2. Prior to submittal of a Final Plat application, the plat document shall be revised to show the "common drive access easement" as an "access and utility easement".

**GENERAL COMMENTS:**

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and to reduce the easement width from 49 feet to 26 feet; and, to allow a lot twice as long as wide. In addition, the applicant has submitted an Exception request to allow an access easement to serve six lots in lieu of four lots as per the Street Design Criteria Manual.

On July 7, 2005, the Planning Commission recommended to approve a Preliminary Plat to subdivide the subject property into 15 residential lots. The City Council will consider the Preliminary Plat at their July 18, 2005, City Council meeting.

The subject property is located north of Enchanted Pines Drive and west of Enchantment Road and is currently void of any structural development.

**STAFF REVIEW:**

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

**"Common Drive Access Easement":** The access easement is classified as a lane/place street requiring that the street be located in a minimum 49 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has indicated that the access easement will be located in a 26 foot wide easement and will serve as access to six dwelling units resulting in 60 average daily traffic trips on the street. As such, the access easements must be constructed as a residential street as identified above. In particular, backing into the access easement must be avoided due to the traffic generated by the proposed land use. In addition, sidewalks and street lights must be provided along the access easement to insure safe pedestrian access through the development as well as a safe place for children to play within this area of the development. Staff has also noted that water and sewer mains must be extended along the

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easement to serve the proposed six lots. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit, water and sewer along the access easement and to reduce the easement width be denied.

Exception: The Street Design Criteria Manual states that an access easement may serve a maximum of four lots. The applicant has requested that an Exception be granted to allow the easement to serve six properties. Staff has noted that the Exception request is a minor adjustment to the Street Design Criteria Manual and, as such, recommends that the Exception be approved contingent upon the applicant demonstrating maintenance of the easement prior to City Council approval. In addition, staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to show the "common drive access easement" as an "access and utility easement". As noted above, water and sewer mains must be extended along the easement to serve the proposed lot(s).

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 Plat identifies that four of the lots will have a length twice the distance of the width.

The lots are located at the western terminus of a looped street. Due to the short radius along the curves of the looped street, there is limited lot frontage along this portion of 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. The Fire Department staff has also indicated that the looped street provides improved fire apparatus access than a cul-se-sac street. 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.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the July 21, 2005 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.