

STAFF REPORT
April 20, 2006

No. 06SV015 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit along the access easements and to waive the requirement to install sidewalk, street light conduit along Pearl Boulevard as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 32

GENERAL INFORMATION:

PETITIONER	DGM Development and Echo Development
REQUEST	No. 06SV015 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit along the access easements and to waive the requirement to install sidewalk, street light conduit along Pearl Boulevard as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lots 10 & 11 of Madison's Subdivision, located in the SE1/4 SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 190 Madison's Subdivision, formerly Lots 10 & 11 of Madison's Subdivision, located in the SE1/4 SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10 acres
LOCATION	500 feet north of Country Road and adjacent to the west side of Haines Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District (Planned Residential Development)
East:	Low Density Residential District
West:	No Use District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/24/2006
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install street light conduit along Pearl Boulevard be denied;

That the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the access easements and Pearl Boulevard be approved with the following stipulation:

1. Upon submittal of a Preliminary Plat application, the applicant shall submit construction plans showing a minimum eight foot wide bike/walk trail along the perimeter of the development as proposed; and,

That the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit along the access easements be approved.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk and street light conduit along Pearl Boulevard and to waive the requirement to install curb, gutter, sidewalk and street light conduit along the access easements as they extend through the subject property. In addition, the applicant has submitted a Layout Plat to subdivide approximately ten acres into 190 townhome lots. The applicant has also submitted an Initial Planned Residential Development request to allow a 190 unit townhome development to be constructed on the subject property. (See companion items #06PL042 and 06PD017.)

The property is located approximately 375 feet north of the intersection of Country Road and Haines Avenue on the west side of Haines Avenue. Currently a single family residence and a shed are located on the property.

STAFF REVIEW:

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

Affordable Housing: The applicant has indicated that the proposed residential development will provide additional affordable housing for Rapid City. As such, the applicant has requested a number of special exceptions and variances in order to reduce the overall cost of the project. Staff will consider the aforementioned deviations from the Zoning Ordinance with the consideration that the project will be exclusively developed to provide affordable housing. Once constructed and fully operational, these improvements should be evaluated to determine their appropriateness for wide spread use and possible adoption as part of the City's development standards. However, until such time as a complete evaluation can be made of this experimental subdivision as a functioning residential neighborhood, staff does not support the use of these standards in other developments.

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Street Light Conduit: The applicant has requested a Variance to the Subdivision Regulations to waive the requirement to install street light conduit along Pearl Boulevard and the access easements. In particular, the applicant has indicated that exterior lighting will be provided on the townhome units to provide lighting along the adjacent streets. This may function as proposed along the narrow access easements but staff has concerns with the lack of street lights along Pearl Boulevard since it functions as the primary street into the development. In addition, staff has noted that Pearl Boulevard is being constructed as two 17.5 wide lanes separated by a median. As such, during the review of the Initial Residential Development Plan, staff recommended that the light package include street lights within the median. In order to provide a lit street to accommodate the traffic generated by the proposed development, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install street light conduit along Pearl Boulevard be denied.

Sidewalks: The applicant has submitted a site plan in conjunction with the associated Initial Residential Development Plan showing an eight foot wide bike/walk trail along the perimeter of the proposed development. The proposed bike/walk trail will provide a safe place for pedestrian traffic. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to provide sidewalks along Pearl Boulevard and the access easements be approved with the stipulation that the proposed bike/walk trail be constructed as a part of the subdivision improvements. In particular, staff is recommending that upon submittal of a Preliminary Plat application, the applicant submit construction plans showing a minimum eight foot wide bike/walk trail along the perimeter of the development as proposed.

Access Easements: The Layout Plat identifies 26 foot wide access easements serving as access to the individual townhome lots. The access easements are classified as lane place streets requiring that they be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. The applicant has indicated that the streets will be constructed with a 26 foot wide paved surface, water and sewer. As such, the applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to install curb and gutter along the access easements. Staff has noted that the site plan submitted with the associated Initial Residential Development Plan identifies driveway approaches along most of the easements limiting the amount of potential curb and gutter to be provided. In addition, the applicant has indicated that drainage will be accommodated within the common area that surrounds the townhome development. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install curb and gutter along the access easements be approved.

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 April 20, 2006 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquires regarding this proposal.