

STAFF REPORT  
October 5, 2006

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**No. 06SV061 - Variance to the Subdivision Regulations to allow a lot twice as long as it is wide as per Chapter 16 of the Rapid City Municipal Code**

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**ITEM 33**

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for Signature Development
REQUEST	<b>No. 06SV061 - Variance to the Subdivision Regulations to allow a lot twice as long as it is wide as per Chapter 16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	A portion of the E1/2 NW1/4 SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.783 acres
LOCATION	North and east of the intersection of Catron Boulevard and Golden Eagle Drive
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Public District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water with interim on-site wastewater
DATE OF APPLICATION	9/8/2006
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow a lot twice as long as it is wide as per Chapter 16 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to allow a lot twice as long as it is wide. In addition, the applicant has submitted a Preliminary Plat to subdivide eight lots into 11 lots as a part of the Villagio at Golden Eagle Subdivision. (See companion item #06PL151.)

On June 5, 2006, the City Council approved a Preliminary Plat to subdivide the subject property into 21 residential lots. To date, the applicant has not submitted a Final Plat for

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these 21 lots. The Preliminary Plat proposes to replat eight of the lots. The balance of the lots will remain the same as shown on the original Preliminary Plat.

The City Council has also approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Golden Eagle Drive as it abuts the south lot line of Lot 1, Block 2 with the stipulation that prior to Final Plat approval, a waiver of right to protest any future assessment for the improvements be signed. (To date, a Final Plat has not been submitted nor has the waiver of right to protest document been signed.) The City Council also approved a Variance to the Subdivision Regulations to waive the requirement to install sewer along Golden Eagle Drive as it extends south from the subject property to Catron Boulevard. In addition, the City Council denied a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the right-of-way/easement width from 45 feet to 20 feet along a proposed 20 foot wide access easement.

On February 6, 2006, the City Council approved a Layout Plat to subdivide the subject property into 20 residential lots. In addition, the City Council denied a Variance to the Subdivision Regulations to waive the requirement to install dry sewer. The City Council also approved a Comprehensive Plan Amendment to the Major Street Plan to relocate a portion of Golden Eagle Drive, a collector street, approximately 200 feet east of its current location. In addition, the City Council approved a Comprehensive Plan Amendment to the U.S. Highway 16 Neighborhood Area Future Land Use Plan to change the designation of the subject property from a Planned Residential Development with a maximum density of 1 dwelling unit per acre to a Planned Residential Development with a maximum density of 2.5 dwelling units per acre. The property has subsequently been rezoned from General Agriculture District to Low Density Residential District. In addition, a Planned Development Designation has been approved for the subject property.

On September 21, 2006, the Planning Commission recommended approval of Tax Increment District #61 to extend sewer along Catron Boulevard and a portion of Golden Eagle Drive, to construct a lift station and to construct a portion of Golden Eagle Drive and Vineyard Lane. The City Council will consider this item at their October 2, 2006 City Council meeting. The applicant has submitted this Preliminary Plat to increase the density of Villagio at Golden Eagle by three lots since City sewer is being extended to the site.

The property is located approximately 500 feet north of Catron Boulevard along Golden Eagle Drive. Currently, the property is void of any structural development.

**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

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than twice the lot width". The proposed Preliminary Plat identifies that two of the lots will have a length twice the distance of the width.

The lots are located along the south side of a curve along the access street. The radius of the curve limits right-of-way frontage along this portion of the street. As such, two of the lots along the south side of the street are more than twice as long as wide. However, both lots abut the street right-of-way a minimum distance of 25 feet as required by the Zoning Ordinance. In addition, the subdivision design as shown on this plat is reasonable for the site and the lot configuration does not create any significant difficulties for use or maintenance. 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 October 5, 2006 Planning Commission meeting if this requirement is not met.