

STAFF REPORT

October 9, 2003

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**No. 03SV036 - Variance to the Subdivision Regulations to allow lots twice as long as wide and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the well access easement as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 19**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc. for Sally Broucek
REQUEST	<b>No. 03SV036 - Variance to the Subdivision Regulations to allow lots twice as long as wide and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the well access easement as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	Lot 7, Block 1, and Lots 15, 16 and 17, Block 2, Stoneridge Subdivision, located in the SW1/4 of the SW1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.178 acres
LOCATION	At the end of Parkview Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential II District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	09/12/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow lots twice as long as wide and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the well access easement as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

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Engineering Division Recommendation:

1. Prior to City Council approval, the plat document shall be revised to show a non-access easement along the north lot line as it abuts the well access 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, water, sewer and pavement along a well access easement and to allow four lots to be twice as long as they are wide. On September 25, 2003, the Planning Commission approved Preliminary and Final Plat #03PL088 to subdivide the subject property into 29 residential lots. (The Preliminary and Final Plat will be heard by the City Council on October 6, 2003.)

On February 7, 2000, the City Council approved a Layout Plat to subdivide the subject property into 32 residential lots.

The property is located approximately 1,700 feet south of the Minnesota Street/Parkview Drive intersection on the east side of Parkview Drive and is currently void of any structural development.

STAFF REVIEW:

Staff 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 Preliminary and Final Plat identifies that four of the lots will have a length twice the distance of the width.

The lots are located at the southern terminus of a cul-de-sac. Due to the design of a cul-de-sac street, there is limited lot frontage along the roadway. As such, it becomes a challenge to meet the requirement to provide sufficient lot widths to meet the above referenced requirement. The subdivision design as shown on this plat is appropriate for the site. In addition, the lot configuration does not create any 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.

Access Easement: The plat document identifies a 60 foot wide well access easement located along the north lot line of the subject property abutting proposed Lots 1 thru 7 of Block 1. This well access easement is not available for use by these adjacent lots as they are not served by the well. Gemstone Drive, a 52 foot wide lane place street, is located along the south of proposed Lots 1 thru 7 of Block 1 and will serve as legal access to these lots.

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Constructing the access easement to City Street Design Standards will create lots with double street frontage. Chapter 16.12.190 of the Subdivision Regulations states that "...double frontage and reverse frontage lots shall be avoided". As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to improve the access easement be approved with the stipulation that the plat document be revised to provide a non-access easement along the north lot line of the subject property as it abuts the subject property.

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 October 9, 2003 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquiries regarding this proposal.