

STAFF REPORT

August 23, 2001

No. 01SV023 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk and street light conduit on Country Road and Nike Road; and to allow lots more than twice as long as they are wide

ITEM 49

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 01SV023 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk and street light conduit on Country Road and Nike Road; and to allow lots more than twice as long as they are wide
LEGAL DESCRIPTION	Lot 1, Block 1; Lots 1-13, Tract A & Outlot C, Block 2; Lots 1-12, Block 3; Lots 1-29 & Outlot B, Block 4; Lots 1-8, Block 5; Lots 1-3 & Outlot A, Block 6; Lots 1-13, Block 7 & Lots 1-27, Block 8, Northbrook Village Subdivision, located in the SE1/4 of the SE1/4 of Section 13, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40.25 Acres
LOCATION	At the northwest corner of the intersection of Country Road and Nike Road
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	Medium Density Residential District (City)
East:	General Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	City Water and Sewer to be extended
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for curb, gutter, and sidewalk on Country Road and Nike Road be approved with the condition that prior to Final Plat approval of any lot within the Northbrook Village Subdivision, a waiver of right to protest an assessment district shall be signed for these improvements.

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for street light conduit on Country Road and Nike Road be denied.

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Staff recommends that the Variance to the Subdivision Regulations to allow lots more than twice as long as they are wide be approved.

GENERAL COMMENTS: The applicant is requesting Subdivision Variances to the required improvements to Country Road and Nike Road to allow lots more than twice as long as they are wide as part of the proposed Northbrook Development. The property is located directly to the east of the Mallridge Subdivision at the northwest quadrant of the intersection Country Road and Nike Road. The applicant is proposing a 106 lot residential subdivision. Associated annexation, rezoning, and Planned Residential Development requests have also been submitted for the subject property.

STAFF REVIEW: Staff has reviewed the request and has noted the following considerations:

Lot Sizes - Due the terrain of the development area and the number of drainage ways, the applicant has proposed lots that are twice as long as they are wide. Staff has supported this type of variance when the terrain in an area did not facilitate shorter lots. Staff supports the variance request to allow lots that are twice as long as they are wide.

Road Sections - Both Country Road and Nike Road are paved rural sections streets. Neither street has curb, gutter, or sidewalk improvements. The Subdivision Regulations require that these improvements be in place. Since none of these improvements are located on either end of the section of street located adjacent to the subdivision, staff is recommending that a waiver of right to protest an assessment district be signed for these improvements. The waiver of right to protest an assessment district would be tied to all the proposed lots in the subdivision and would allow the improvements to be constructed in conjunction with are wide improvements or street reconstruction.

Street Light - The applicant has requested that the requirement for street light conduit for both Country Road and Nike Road be waived. With this development, additional traffic will be added to the intersection of Country Road and Nike Road. Staff is recommending that a street light be installed at this location to improve visibility during the evening hours. Based on the vehicular safety concerns associated with the intersection, Staff does not support this variance request.