

STAFF REPORT
January 27, 2005

No. 04SV080 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 44

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting Inc. for Gordon Howie
REQUEST	No. 04SV080 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	A portion of Tract T of Trailwood Village, located in the SE1/4 of the SE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of Lot 3 of Block 22, Trailwood Village, Thence, S00°03'09"W, a distance of 346.91 feet to the northeasterly corner of the boundary, and the Point of Beginning; Thence, first course: S00°05'47"W, a distance of 317.18 feet, to the southeasterly corner of said boundary; Thence, second course: S89°49'52"W, a distance of 227.28 feet, to the southwesterly corner of said boundary; Thence, third course: N00°04'24"W, a distance of 199.81 feet, to the northerly corner of said boundary; Thence, fourth course: N65°25'59"W, a distance of 24.18 feet, to the northwesterly corner of said boundary; Thence, fifth course: N00°04'24"E, a distance of 35.04 feet, to the northerly corner of said boundary; Thence, sixth course: S89°55'36"E, a distance of 40.00 feet, to the northeasterly corner of said boundary; Thence, seventh course: N00°04'24"E, a distance of 73.27 feet, to the northerly corner of said boundary; Thence, eighth course: S89°55'36"E, a distance of 209.43 feet, to the northeasterly corner of said boundary, and the Point of Beginning, said parcel contains 1.460 acres more or less
PARCEL ACREAGE	Approximately 1.460 acres
LOCATION	At the northwest corner of the intersection of Long View Road and Reservoir Road
EXISTING ZONING	Planned Unit Development (Pennington County)

STAFF REPORT
January 27, 2005

No. 04SV080 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 44

SURROUNDING ZONING

North:	Planned Unit Development (Pennington County)
South:	Limited Agriculture District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Planned Unit Development (Pennington County)

PUBLIC UTILITIES

Rapid Valley Sanitary District

DATE OF APPLICATION

12/30/2004

REVIEWED BY

Renee Catron-Blair / David L. Johnson

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to provide a ten foot wide planting screen easement be denied and that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

1. Prior to submittal of a Final Plat application, the applicant shall sign a waiver of right to protest any future assessments for the installation of curb, gutter, sidewalk, street light conduit and additional pavement along Reservoir Road and Long View Road.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement and to waive the requirement to provide a 10 foot wide planting screen easement along Reservoir Road and Long View Road as it abuts the subject property. The applicant has also submitted a Layout and Preliminary Plat to create three lots from a portion of Tract T. (See companion item #04PL210.)

The subject property is located at the northwest corner of Reservoir Road and Long View Road and is currently void of any structural development.

STAFF REVIEW:

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

Reservoir Road: Reservoir Road is located along the east lot line and is classified as a principal arterial street requiring that it be located in a minimum 100 foot wide right-of-way. This plat document shows 17 feet of additional right-of-way being dedicated as part of this plat. The balance of the required right-of-way will be obtained from adjacent property in the future.

STAFF REPORT
January 27, 2005

No. 04SV080 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 44

Currently, Reservoir Road is constructed with a 24 foot wide paved surface, water and sewer. Staff recommends prior to Preliminary Plat approval by the City Council, road construction plans shall be submitted for review and approval showing the street constructed with curb, gutter, sidewalk, street light conduit and additional pavement and to provide a ten foot wide planting screen easement or a Variance to the Subdivision Regulations shall be obtained.

Long View Road: Long View Road is located along the south lot line and is classified as a minor arterial street requiring that it be located in a minimum 100 foot wide right-of-way. The plat document must be revised to show 17 feet of additional right-of-way being dedicated. The balance of the required right-of-way will be obtained from adjacent property in the future. Currently, Long View Road is constructed with a 24 foot wide paved surface, water and sewer. Staff recommends prior to Preliminary Plat approval by the City Council, road construction plans shall be submitted for review and approval showing the street constructed with curb, gutter, sidewalk, street light conduit and additional pavement or a Variance to the Subdivision Regulations shall be obtained.

Planting Screen Easement: The Subdivision Regulations requires that a 10 foot wide planting screen easement be provided along all arterial streets within a residential development. The Preliminary Plat does not show the required planting screen easement. As such, staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to show a ten foot wide planting screen easement along Reservoir Road and Long View Road along the property lot lines and not in conflict with utility easements. Staff is unaware of any physical reason that the easement cannot be provided. The easement will provide an area for landscaping to be provided to screen the residential development from the traffic and noise associated with the arterial roadway. For that reason, staff recommends that the subdivision variance to waive the requirement for a 10 foot wide planting screen easement to be provided be denied.

Legal Notification Requirement: The receipts from the certified mailings have not been returned as of this writing. Staff will notify the Planning Commission at the January 27, 2005 Planning Commission meeting if this requirement is not met.