

STAFF REPORT
October 27, 2005

No. 05SV033 - Variance to the Subdivision regulations to allow a lot twice as long as it is wide and to waive the requirement to install sidewalk and street light conduit along Cobalt Drive and to waive the requirement to install street light conduit on Adonia Lane, Wisteria Court and Three Rivers Drive as per Section 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Doeck, LLC
REQUEST	No. 05SV033 - Variance to the Subdivision regulations to allow a lot twice as long as it is wide and to waive the requirement to install sidewalk and street light conduit along Cobalt Drive and to waive the requirement to install street light conduit on Adonia Lane, Wisteria Court and Three Rivers Drive as per Section 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	A portion of the NE1/4 of the SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 through 8 and Lots 24 through 61 of Block 1, and Lots 1 through 10 of Block 2, Brookfield Subdivision, located in the NE1/4 of the SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 acres
LOCATION	Adjacent to West Nike Road
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District (Planned Residential Development)
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
DATE OF APPLICATION	5/13/2005
REVIEWED BY	Todd Tucker / David L. Johnson / Marcia Elkins

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RECOMMENDATION:

Staff recommends:

That the Variance to the Subdivision Regulations to allow a lot twice as long as it is wide be approved;

That the Variance to the Subdivision Regulations to waive the requirement to install sidewalk and street light conduit along Cobalt Drive be tabled; and,

That the Variance to the Subdivision Regulations to waive the requirement to install street light conduit on Adonia Lane, Wisteria Court and Three Rivers Drive be tabled.

GENERAL COMMENTS: **(October 21, 2005 Update)** Staff met with the applicant and reviewed the various requests. Based on the topography of the site, staff is recommending approval of the Subdivision Variance to allow a lot size twice as long as it is wide. There are a limited number of lots affected by this requirement within the subdivision. Adequate building areas are identified on the proposed lots as configured. Further, a Planned Residential Development has been requested for the property, providing additional ability to allow creative designs to deal with the resulting lot layout.

In addition, staff reviewed the other requests with the applicant and determined that the Subdivision Variances were not required. Based on this information, staff is recommending that the variance to waive the requirements for sidewalk and street light conduit along Cobalt Drive be tabled and that the variance to waive the requirement to install street light conduit on Adonia Lane, Wisteria Court and Three Rivers Drive be tabled.

(October 5, 2005) Staff met with the applicant to resolve the outstanding issues relative to this request. An additional subdivision variance has been filed and will be considered at the October 27, 2005 Planning Commission. Staff is recommending that the request be continued to the October 27, 2005 Planning Commission to allow both Subdivision Variances and the Preliminary Plat to be considered together.

(September 16, 2005 Update) Staff will be meeting with the applicant's engineer prior to the September 22, 2005 meeting. If, based on those discussions, the project can move forward, staff will inform the Planning Commission at that time.

(September 2, 2005) Items related to this Subdivision Variance and to the related plat will be considered by the City Council on September 6, 2005. Because the disposition of those items will affect the plat, staff is recommending that this Subdivision Variance and the related plat be continued to the September 22, 2005 Planning Commission meeting.

(July 26, 2005 Update) This item was continued at the July 21, 2005 Planning Commission meeting to allow it to be heard in conjunction with the associated Preliminary Plat request.

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Staff noted that they are recommending that the Preliminary Plat be continued to the September 8, 2005 Planning Commission meeting. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the September 8, 2005 Planning Commission meeting.

(July 9, 2005 Update) This item was continued at the July 7, 2005 Planning Commission meeting to allow it to be heard in conjunction with the associated Preliminary Plat request. Staff noted that they are recommending that the Preliminary Plat be continued to the August 4, 2005 Planning Commission meeting. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the August 4, 2005 Planning Commission meeting.

(This staff report was modified on June 27, 2005. All revised information is shown in bold.) This item was continued at the June 9, 2005 Planning Commission meeting to allow it to be heard in conjunction with the associated annexation and Preliminary Plat request. Staff noted that the annexation request and Preliminary Plat are being recommended to be continued to the July 21, 2005 Planning Commission meeting. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the July 21, 2005 Planning Commission meeting.

The subject property is located northeast of the Rapid City limits off Haines Avenue near the Mallridge and Northbrook Village Subdivisions located northwest of the intersection of West Nike Road and Viking Drive. Currently there are no structures on the property. The proposed development is Phase I of the Brookfield Subdivision. On April 4, 2005, the City Council approved a Layout Plat (05PL035) for the subject property. The applicant is requesting a Variance to the Subdivision Regulations to allow lots twice as long as they are wide and to waive the requirement to install sidewalk on Cobalt Drive and to waive the requirement to install street light conduit on Cobalt Drive, Adonia Lane, Wisteria Court and Three Rivers Drive. The applicant has submitted a Variance to the Subdivision Regulations to subdivide approximately 15 acres into 56 residential lots. The applicant has also submitted a Preliminary Plat (05PL090) application to subdivide the subject property into 56 residential lots.

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

The subject property is located adjacent to the City limits of the City of Rapid City. As such, the property must be annexed into the City limits. As of this writing, the applicant has not submitted a petition to annex the subject property into the City of Rapid City. As such, staff is recommending that the associated Preliminary Plat be continued to the July 7, 2005 Planning Commission meeting to allow the Preliminary Plat to be heard in conjunction with the annexation request. Staff is recommending that the Variance to the Subdivision

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Regulations request be continued to the July 7, 2005 Planning Commission meeting to be heard in conjunction with the associated Preliminary Plat request.

On June 10, 2005, the applicant submitted an annexation request for the subject property. However, staff is recommending that the request be continued to the July 21, 2005 Planning Commission meeting. Staff is also recommending that the Preliminary Plat be continued to the July 21, 2005 Planning Commission meeting so the two items can be heard in conjunction. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the July 21, 2005 Planning Commission meeting.

As previously indicated, staff noted that they are recommending that the associated Preliminary Plat be continued to the September 8, 2005 Planning Commission meeting. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the September 8, 2005 Planning Commission meeting to be heard in conjunction with the associated Preliminary Plat request.