

STAFF REPORT

March 9, 2006

No. 06SV005 - Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 24 feet and reduce the Right-of-Way width from 52 feet to 49 feet as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for PLM Development, LLC
REQUEST	No. 06SV005 - Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 24 feet and reduce the Right-of-Way width from 52 feet to 49 feet as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	A parcel of land located in the SW1/4 SW1/4 less N1/2 N1/2 N1/2 N1/2 SW1/4 SW1/4, the unplatted balance of the N1/2 NW1/4 and the unplatted balance of the SW1/4 NW1/4, Section 13 T1N, R7E, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 43, PLM Subdivision, Phase 2A, formerly a portion of the SW1/4 SW1/4 less N1/2 N1/2 N1/2 N1/2 SW1/4 SW1/4, the unplatted balance of the N1/2 NW1/4 and the unplatted balance of the SW1/4 NW1/4, Section 13 T1N, R7E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 38 acres
LOCATION	South of Minnesota Street and west of Fifth Street
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)
South:	General Agriculture District
East:	General Agriculture District - Public District
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/27/2006
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 24 feet and reduce the Right-of-Way width from 52 feet to 49 feet as per Chapter 16.16 of the Rapid City Municipal Code be denied.

GENERAL COMMENTS:

(Update, February 28, 2006. All revised and/or added text is shown in bold print.) This item was continued at the February 23, 2006 Planning Commission meeting at the applicants' request. On March 1, 2006, staff met with the applicant to discuss the Staff Reports for this item and the associated Layout Plat.

The applicant has submitted a Variance to the Subdivision Regulations to reduce the right-of-way width from 52 feet to 49 feet and to reduce the pavement width from 27 feet to 24 feet for a sub-collector street. In addition, the applicant has submitted a Layout Plat to subdivide the subject property creating a residential development to be known as "PLM Subdivision, Phase 2A". (See companion item #06SV005.)

The property is located east and north of the current street terminuses of Stumer Road and Enchanted Pines 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:

Sub-collector Street: The Layout Plat identifies an east-west sub-collector street in the northern portion of the property requiring that it be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has requested a Variance to the Subdivision Regulations to reduce the right-of-way width for the sub-collector street from 52 feet to 49 feet and to reduce the pavement width from 27 feet to 24 feet. The street will be located along a ridgeline within the northern portion of the property. The applicant has indicated that the reduction(s) are being requested to protect as many trees as possible along the ridgeline while creating building platforms that meet the needs of the target market. The US Highway 16 Neighborhood Area Future Land Use Plan identifies the appropriate use of this portion of the subject property as a Planned Residential Development with a maximum density of one dwelling unit per two acres. A reduction in the front yard setback may be requested through the Planned Residential Development review and approval process in lieu of reducing the street design standards. In the past, the Planning Commission has reduced the front yard setbacks in a Planned Residential Development when a minimum 18 foot front yard setback is provided in front of the proposed garage and a minimum 15 foot front yard setback is provided in front of the proposed residence. As such, staff is recommending that the Variance to the Subdivision Regulations as requested be denied and that the applicant seek approval of the reduced setback through the Planned Residential Development. This will achieve the applicant's goals of saving as many trees as possible while insuring that

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No. 06SV004 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to waive the requirement to dedicate a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code

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adequate right-of-way is available for the future.

Notification Requirement: **The receipts from the certified mailings have been returned. Staff has received three calls of inquiry regarding this proposal.**