

STAFF REPORT

April 26, 2007

No. 07SV021 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk on the west side of Carmel Point as approved by a Planned Residential Development as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 36

GENERAL INFORMATION:

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| PETITIONER | Fisk Land Surveying & Consulting Engineers for O'Brien Construction |
| REQUEST | No. 07SV021 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk on the west side of Carmel Point as approved by a Planned Residential Development as per Chapter 16.16 of the Rapid City Municipal Code |
| EXISTING LEGAL DESCRIPTION | Lots 8, 9 and 10 in Block 10 of Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lots 8A, 8B, 9A, 9B, 10A and 10B, Block 10, Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately .87 acres |
| LOCATION | South of Heidiway Lane between Carmel Point and Sheridan Lake Road |
| EXISTING ZONING | Medium Density Residential District (Planned Residential Development) |
| SURROUNDING ZONING | |
| North: | Medium Density Residential District (Planned Residential Development) |
| South: | Medium Density Residential District (Planned Residential Development) |
| East: | Medium Density Residential District (Planned Residential Development) |
| West: | Low Density Residential District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 3/30/2007 |
| REVIEWED BY | Vicki L. Fisher / Mary Bosworth |

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk on the west side of Carmel Point be approved with the following stipulation:

1. A sidewalk shall be provided along the east side of Carmel Point.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install a sidewalk along both sides of Carmel Point as it abuts the subject property. The applicant has also submitted two separate Preliminary Plats (File 07PL055 and 07PL056) to subdivide three existing lots into six townhome lots. In addition, the applicant has submitted a Major Amendment to the Planned Residential Development (File #07PD027) to reduce two front yard setback(s) from 18 feet to 16.44 feet and 17.67 feet, respectively, and to reduce a side yard setback from eight feet to 7.69 feet.

On May 27, 2004, the Planning Commission approved a Major Amendment to a Planned Residential Development (File #04PD018) to allow for the development of 32 residential townhome units in lieu of garden cottages as originally approved in the Fairway Hills Planned Residential Development. The subject property is a part of the approved townhome development. In addition, on July 6, 2004, the City Council approved a Preliminary Plat (File #04PL023) to subdivide the property into 16 lots and on September 16, 2004, a Final Plat (File #04PL128) was approved creating the 16 lots. The applicant indicated that the 16 lots would be divided at the time of construction, and, as such, has submitted the two associated Preliminary Plats.

The property is located in the southwest corner of Heidiway Lane and Carmel Point. Currently, a townhome unit is located on proposed Lot 8A and Lot 8B. In addition, a townhome foundation is located on proposed Lots 9A, 9B, 10A and 10B, respectively.

STAFF REVIEW:

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

Carmel Point: Carmel Point is located along the east lot line of the subject property and is classified as a lane place street. During the previous review and approval of the associated Major Amendment to the Fairway Hills Planned Residential Development, the requirement to construct a sidewalk along the west side of Carmel Point was waived. However, platting the property as proposed requires that a sidewalk be constructed along both sides of the street. As such, the applicant has submitted the Variance to the Subdivision Regulations to waive the requirement.

As previously indicated, the street is classified as a lane place street serving as access to 14 lots. The street is also designed as a cul-de-sac street with no through traffic to other areas

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of Fairway Hills. In addition, the construction plans identify a sidewalk along the east side of the street to provide pedestrian access along the Carmel Point. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to provide sidewalk along both sides of the street be approved with the stipulation that a sidewalk be provided along the east side of the Carmel Point.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the April 26, 2007 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.