

STAFF REPORT
September 4, 2008

No. 08SV043 - Variance to the Subdivision Regulations to waive the ITEM 30 requirement to install sewer along Landon Drive, to install curb, gutter, sidewalk, water, sewer and pavement along the access easement and to reduce the width of the access easement from 45 feet to 20 feet as per Chapter 16.16 of the Rapid City Municipal Code

GENERAL INFORMATION:

APPLICANT	Gordon Howie
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Gordon Howie
REQUEST	No. 08SV043 - Variance to the Subdivision Regulations to waive the requirement to install sewer along Landon Drive, to install curb, gutter, sidewalk, water, sewer and pavement along the access easement and to reduce the width of the access easement from 45 feet to 20 feet 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 NW1/4 of the SE1/4 and in the SW1/4 of the NE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 33 thru 40 of Block 18, Lot 6 of Block 26 and lot 5 thru 8 of Block 27 of Trailwood Village Subdivision, located in a portion of Tract T of Trailwood Village, located in the NW1/4 of the SE1/4 and in the SW1/4 of the NE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.672 Acres
LOCATION	At the northern terminus of Savannah Street and Leola Lane
EXISTING ZONING	Planned Unit Development (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District

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DATE OF APPLICATION 8/8/2008

REVIEWED BY Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sewer along Landon Drive, to install curb, gutter, sidewalk, water, sewer and pavement along the access easement and to reduce the width of the access easement from 45 feet to 20 feet as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

1. Prior to City Council approval, construction plans for the access easement shall be submitted for review and approval showing the easement constructed with a minimum 10 foot wide grassed paver or a minimum 10 foot wide paved surface.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sewer along a portion of Landon Drive, to install curb, gutter, sidewalk, water, sewer and pavement along the access easement and to reduce the width of the access easement from 45 feet to 20 feet.

On August 7, 2008, the Planning Commission approved a Preliminary Plat (File #08PL107) to subdivide the property into 13 residential lots, leaving a non-transferable unplatted balance. The City Council will consider the Preliminary Plat at their September 2, 2008 City Council meeting.

The property is located at the northern terminus of Savannah Street and is currently void of any structural development.

STAFF REVIEW:

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

Landon Street: The first 70 feet of Landon Street as it extends west from Savannah Street is being platted as a part of this phase of the Trailwood Village Development. Landon Street is classified as a lane place street requiring that it be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The construction plans show Landon Street being constructed as a lane place street with the exception of sewer. However, Rapid Valley Sanitary District staff has indicated that a sewer main is not needed along this portion of the street since all of the surrounding properties will be served by other sewer mains and since a looped sewer system is not needed at this location. As such, staff is recommending that

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the Variance to the Subdivision Regulations to waive the requirement to install sewer along this portion of Landon Street be approved.

Hawthorne Irrigation Ditch: The Hawthorne Irrigation Ditch is located along the north lot line of this phase of the development. The Pennington County Highway Department staff has indicated that physical access to the ditch is currently provided through the property in the general location of proposed Lots 37 and 38. As such, the Pennington County Highway Department staff has indicated that an access easement must be secured as a part of the platting of the property to ensure that physical access is maintained to the ditch as needed for maintenance of the ditch. The applicant has subsequently revised the associated Preliminary Plat document to provide a "20 foot wide easement for irrigation ditch access and maintenance". The easement is classified as a lane place street requiring that it be located in a minimum 45 foot wide easement and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer.

As noted above, the applicant has submitted a Variance to the Subdivision Regulations request to reduce the width of the easement from 45 feet to 20 feet and to waive the requirement to improve the access easement with pavement, curb, gutter, sidewalk, street light conduit, water and sewer.

The Pennington County Highway Department staff has indicated that the access is needed to maintain the Hawthorne Irrigation Ditch on an annual or semi-annual basis. Since the easement will have limited utilization, staff would support using grass pavers to provide access to the ditch. In particular, a grass paver is a concrete or heavy plastic block or cone with openings for vegetation. The applicant also has the option of paving the easement with a 10 foot wide paved surface.

Staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to improve the access easement be approved with the stipulation that prior to City Council approval, construction plans for the access easement be submitted for review and approval showing the easement constructed with a minimum 10 foot wide grassed paver or a minimum 10 foot wide paved surface.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the September 4, 2008 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.