

STAFF REPORT
June 24, 2010

No. 10SV011 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Clover Ridge Court, the south side of Clover Ridge Drive, the north side of East Minnesota Street and the west side of Prairie View Drive, to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet, to reduce the pavement width on Wild Flower Drive from 27 feet to 20.5 feet, to reduce the right-of-way width on Clover Ridge Drive, Prairie View Drive and Wild Flower Drive from 52 feet to 50 feet, to reduce the right-of-way width on E. Minnesota Street from 100 feet to 90 feet and 80 feet, respectively, to reduce the cul-de-sac diameter on Clover Ridge Court from 110 feet to 100 feet, to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet and to waive the requirement to provide a sewer main along Wild Flower Drive as per Chapter 16.16 of the Rapid City Municipal Code **ITEM 25**

GENERAL INFORMATION:

APPLICANT	Rapid City Defense Housing Corporation
AGENT	Wyss Associates, Inc.
PROPERTY OWNER	Wyss Associates, Inc.
REQUEST	No. 10SV011 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Clover Ridge Court, the south side of Clover Ridge Drive, the north side of East Minnesota Street and the west side of Prairie View Drive, to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet, to reduce the pavement width on Wild Flower Drive from 27 feet to 20.5 feet, to reduce the right-of-way width on Clover Ridge Drive, Prairie View Drive and Wild Flower Drive from 52 feet to 50 feet, to reduce the right-of-way width on E. Minnesota Street from 100 feet to 90 feet and 80 feet, respectively, to reduce the cul-de-sac diameter on Clover Ridge Court from 110 feet to 100 feet, to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet and to waive the requirement to provide a sewer main along Wild Flower Drive as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lots 1 thru 32 of Block 3 of Dakota Ridge Subdivision, located in the SE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

STAFF REPORT
June 24, 2010

No. 10SV011 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Clover Ridge Court, the south side of Clover Ridge Drive, the north side of East Minnesota Street and the west side of Prairie View Drive, to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet, to reduce the pavement width on Wild Flower Drive from 27 feet to 20.5 feet, to reduce the right-of-way width on Clover Ridge Drive, Prairie View Drive and Wild Flower Drive from 52 feet to 50 feet, to reduce the right-of-way width on E. Minnesota Street from 100 feet to 90 feet and 80 feet, respectively, to reduce the cul-de-sac diameter on Clover Ridge Court from 110 feet to 100 feet, to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet and to waive the requirement to provide a sewer main along Wild Flower Drive as per Chapter 16.16 of the Rapid City Municipal Code **ITEM 25**

PROPOSED LEGAL DESCRIPTION	Lots 1R thru 32R of Block 3 of Dakota Ridge Subdivision, located in the SE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.29 acres
LOCATION	West of Cambell Street, south of East Minnesota Street and east of Elm Avenue
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation) - General Commercial District (Planned Development Designation) - Low Density Residential District
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/28/2010
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to reduce the right-of-way

STAFF REPORT

June 24, 2010

No. 10SV011 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Clover Ridge Court, the south side of Clover Ridge Drive, the north side of East Minnesota Street and the west side of Prairie View Drive, to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet, to reduce the pavement width on Wild Flower Drive from 27 feet to 20.5 feet, to reduce the right-of-way width on Clover Ridge Drive, Prairie View Drive and Wild Flower Drive from 52 feet to 50 feet, to reduce the right-of-way width on E. Minnesota Street from 100 feet to 90 feet and 80 feet, respectively, to reduce the cul-de-sac diameter on Clover Ridge Court from 110 feet to 100 feet, to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet and to waive the requirement to provide a sewer main along Wild Flower Drive as per Chapter 16.16 of the Rapid City Municipal Code **ITEM 25**

width on Clover Ridge Drive, Prairie View Drive and Wild Flower Drive from 52 feet to 50 feet, to reduce the cul-de-sac right-of-way diameter on Clover Ridge Court from 110 feet to 100 feet and to reduce the right-of-way width on E. Minnesota Street from 100 feet to 90 feet and 80 feet, respectively, be approved with the following stipulation:

1. A ten foot wide public utility and pedestrian access easement shall be provided along E. Minnesota Street; and,

That the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Clover Ridge Court, the south side of Clover Ridge Drive, the west side of Prairie View Drive and the north side of East Minnesota Street, to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet, to reduce the pavement width on Wild Flower Drive from 27 feet to 20.5 feet, to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet and to waive the requirement to provide a sewer main along Wild Flower Drive be approved with the following stipulations:

1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvement; and,
2. No-parking signs shall be posted along one side of Wild Flower Drive and within the cul-de-sac on Clover Ridge Court prior to submittal of a Final Plat application.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Clover Ridge Court, the south side of Clover Ridge Drive, the north side of East Minnesota Street and the west side of Prairie View Drive, to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet, to reduce the pavement width on Wild Flower Drive from 27 feet to 20.5 feet, to reduce the right-of-way width on Clover Ridge Drive, Prairie View Drive and Wild Flower Drive from 52 feet to 50 feet, to reduce the right-of-way width on E. Minnesota Street from 100 feet to 90 feet and 80 feet, respectively, to reduce the cul-de-sac right-of-way diameter on Clover Ridge Court from 110 feet to 100 feet, to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet and to waive the requirement to provide a sewer main along Wild Flower Drive.

STAFF REPORT

June 24, 2010

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On June 10, 2010, the Planning Commission recommended approval of a Preliminary Plat (File #10PL030) to replat the property into 32 residential lots. In addition, the Planning Commission approved a Major Amendment to a Planned Residential Development (File #10PD038) to reduce setbacks on 25 of the 32 residential lots for the existing development currently located on the property. The property is a part of "Dakota Ridge Subdivision", a 200 residential lot development.

Dakota Ridge was developed in the early 1980's by the Rapid City Defense Housing Corporation and annually leased to the U.S. Air Force to provide housing for U.S. Air Force personnel. The applicant has indicated that the lease agreement expires in October, 2010; however, the leases are being released as the properties are being sold. A recent survey of the property identified that several of the structures encroach into setbacks. In addition, some of the existing fences do not follow lot lines as originally proposed. As such, the applicant has submitted this Preliminary Plat and Major Amendment to the Planned Residential Development to address the as-built conditions for 32 of the 200 lots as Phase One of the project. Eventually, a Preliminary Plat and a Major Amendment to the Planned Residential Development will be submitted for the balance of Dakota Ridge to address the setback and utility issues associated with those lots.

The property is located west of Cambell Street and south of E. Minnesota Street. Currently, a single family residence is located on each lot in this phase of the development.

STAFF REVIEW:

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

East Minnesota Street: East Minnesota Street is located along the north lot line and is classified as a minor arterial street on the City's Major Street Plan requiring that it be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, East Minnesota Street is located within a varying right-of-way width of 80 feet to 90 feet and is constructed as a minor arterial street with a 36 foot wide paved surface, curb, gutter, street

STAFF REPORT
June 24, 2010

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ITEM 25

light conduit, water, sewer, a sidewalk along the south side of the street and a sidewalk along a portion of the north side of the street.

The Major Street Plan was initially adopted by the City on January 15, 1996 and identified Minnesota Street as a collector street. In July of 2000, the Major Street Plan was amended reclassifying Minnesota Street as a minor arterial street. Due to the amendment to the Major Street Plan in 2000, any platting along Minnesota Street now requires that 10 additional feet of right-of-way be obtained from each adjacent property in order to secure the minimum 100 foot right-of-way width for a minor arterial street.

The Long Range Transportation Plan identifies that in the year 2025, 7,000 peak week daily traffic trips will be generated along Minnesota Street. Future development within the area may require improvements and/or expansion to Minnesota Street. The existing 80 foot wide and 90 foot wide right-of-way along this portion of Minnesota Street should accommodate any additional turn lanes that may be necessary due to increased traffic flows generated by future development of the area. However, staff is recommending that a 10 foot wide public utility and pedestrian access easement be provided along the north lot line of the property to accommodate pedestrian access and any future location and/or relocation of public utilities.

Please note that the City has previously granted similar Variance requests to reduce the right-of-way width along portions of Minnesota Street with the stipulation that a 10 foot wide public utility and pedestrian access easement be provided.

To date, a sidewalk has not been constructed along the north side of the E. Minnesota Street a distance of approximately 375 feet. Extending the sidewalk along the balance of the street as it abuts the property will provide a pedestrian connection to Cambell Street. However, the sidewalk does not have to be constructed as a part of the plat, only shown on the construction plans. The sidewalk improvement is required as a part of any future building permit for the adjacent property located north of Minnesota Street owned by others. Since there are no other improvements required along East Minnesota Street, staff recommends approval of the Variance to waive the requirement to provide the sidewalk design for the sidewalk on the north side of East Minnesota Street. This will allow the design of the sidewalk to fit the finished elevations of the property north of East Minnesota Street.

STAFF REPORT
June 24, 2010

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ITEM 25

Prairie View Drive: Prairie View Drive is located along the east lot line of the property and is classified as a sub-collector street requiring that it be located within 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. Prairie View Drive is currently located within a 50 foot wide and constructed as a sub-collector street with a 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water, sewer and a sidewalk along the west side of the street. In 1989, the City Council approved an Initial and Final Development Plan for the development that allowed sidewalks to be provided along one side of each street. In addition, it was noted that the sidewalks being provided within the common areas would provide additional pedestrian access through the development.

Since the street improvements currently exist within the 50 foot wide right-of-way and since sidewalks are being provided in compliance with the approved Initial and Final Residential Development Plan, staff recommends that the Variance to the Subdivision Regulations to reduce the right-of-way width from 52 feet to 50 feet and to waive the requirement to provide a sidewalk along the east side of the street be approved with the stipulation that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for the sidewalk improvement.

Clover Ridge Drive: Clover Ridge Drive is located along the south lot line and is classified as a sub-collector street requiring that it be located within 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. Clover Ridge Drive is currently located within a 50 foot wide right-of-way and constructed as a sub-collector street with a 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water, sewer and a sidewalk along the north side of the street. As previously indicated, in 1989 the City Council approved an Initial and Final Development Plan for the development that allowed sidewalks to be provided along one side of each street. In addition, it was noted that the sidewalks being provided within the common areas would provide additional pedestrian access through the development.

Since the street improvements currently exist within the 50 foot wide right-of-way and since sidewalks are being provided in compliance with the approved Initial and Final Residential Development Plan, staff recommends that the Variance to the Subdivision Regulations to reduce the right-of-way width from 52 feet to 50 feet and to waive the requirement to provide

STAFF REPORT
June 24, 2010

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ITEM 25

a sidewalk along the south side of the street be approved with the stipulation that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for the sidewalk improvement.

Wild Flower Drive: Wild Flower Drive extends south from E. Minnesota Street and serves as access to the development. Wild Flower Drive is classified as a sub-collector street requiring that it be located within 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. Wild Flower Drive is currently located within a 50 foot wide right-of-way and constructed with a 20.5 foot wide pavement width, curb, gutter, sidewalk, street light conduit and water. The applicant has subsequently requested a Variance to the Subdivision Regulations to reduce the right-of-way width from 52 feet to 50 feet, to reduce the pavement width from 27 feet to 20.5 feet and to waive the requirement to install a sewer main along Wild Flower Drive.

All of the adjacent lots currently have sewer service eliminating the need to install a sewer main along the street at this time. Since this is an existing development and all of the adjacent lots currently have sewer service, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install a sewer main along Wild Flower Drive be approved with the stipulation that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for the sewer improvement.

The applicant has indicated that a 26 foot wide paved surface is provided along Wild Flower Drive when measured from back of curb to back of curb. The Fire Department has indicated support for the Variance request to waive the requirement to provide additional pavement on the existing street contingent upon the restriction of parking along the street to insure fire apparatus access. Restricting parking to one side of the street secures fire apparatus access along the street. As such, staff recommends that the Variance to the Subdivision Regulations be approved with the stipulation that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for the pavement improvement. In addition, no-parking signs must be posted along one side of Wild Flower Drive prior to submittal of a Final Plat application.

Since the balance of the street improvements currently exist within the 50 foot wide right-of-

STAFF REPORT
June 24, 2010

No. 10SV011 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Clover Ridge Court, the south side of Clover Ridge Drive, the north side of East Minnesota Street and the west side of Prairie View Drive, to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet, to reduce the pavement width on Wild Flower Drive from 27 feet to 20.5 feet, to reduce the right-of-way width on Clover Ridge Court, Clover Ridge Drive and Wild Flower Drive from 52 feet to 50 feet, to reduce the cul-de-sac diameter on Clover Ridge Court from 110 feet to 100 feet, to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet and to waive the requirement to provide a sewer main along Wild Flower Drive as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 25

way, staff recommends that the Variance to the Subdivision Regulations to reduce the right-of-way width from 52 feet to 50 feet be approved.

Clover Ridge Court: Clover Ridge Court serves as access to 14 of the residential lots and is classified as a lane place cul-de-sac street requiring that it be located within 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. In addition, the cul-de-sac bulb must be located within a minimum 110 foot diameter right-of-way and constructed with a minimum 96 foot wide paved surface. Clover Ridge Court is currently located within a 50 foot wide right-of-way and constructed with a 20.5 foot wide paved surface, curb, gutter, street light conduit, water, sewer and a sidewalk along the south side of the street. In addition, the cul-de-sac bulb is located within a 100 foot diameter right-of-way and constructed with a 69.2 foot diameter paved surface.

As previously indicated, in 1989 the City Council approved an Initial and Final Development Plan for the development that allowed sidewalks to be provided along one side of each street. In addition, it was noted that the sidewalks being provided within the common areas would provide additional pedestrian access through the development. Since sidewalks are being provided in compliance with the approved Initial and Final Residential Development Plan, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to provide a sidewalk along the north side of the street be approved with the stipulation that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for the sidewalk improvement.

The applicant has indicated that a 25.5 foot wide paved surface is provided along Cover Ridge Court when measured from back of curb to back of curb. In addition, a pavement width of 74.5 foot diameter of paved surface is provided within the cul-de-sac when measured from back of curb to back of curb. The pavement width of 25.5 feet when measured from back of curb to back of curb meets the minimum requirement of a lane place street. However, the pavement width within the cul-de-sac bulb limits fire apparatus access. The Fire Department has indicated support for the Variance request to waive the requirement to provide additional pavement within the cul-de-sac bulb contingent upon the restriction of parking. As such, staff recommends that the Variance to the Subdivision Regulations to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet

STAFF REPORT
June 24, 2010

No. 10SV011 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk along the south side of Clover Ridge Court, the south side of Clover Ridge Drive, the north side of East Minnesota Street and the west side of Prairie View Drive, to reduce the pavement width on Clover Ridge Court from 24 feet to 20.5 feet, to reduce the pavement width on Wild Flower Drive from 27 feet to 20.5 feet, to reduce the right-of-way width on Clover Ridge Court, Clover Ridge Drive and Wild Flower Drive from 52 feet to 50 feet, to reduce the cul-de-sac diameter on Clover Ridge Court from 110 feet to 100 feet, to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet and to waive the requirement to provide a sewer main along Wild Flower Drive as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 25

and to reduce the cul-de-sac pavement width on Clover Ridge Court from 96 feet to 69.2 feet be approved with the stipulation that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for the pavement improvement. In addition, no-parking signs must be posted within the cul-de-sac bulb prior to submittal of a Final Plat application.

Since the balance of the street improvements currently exist within the cul-de-sac bulb, staff recommends that the Variance to the Subdivision Regulations to reduce the cul-de-sac right-of-way diameter on Clover Ridge Court from 110 feet to 100 feet be approved.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the June 24, 2010 Planning Commission meeting if this requirement is not met.