

STAFF REPORT

May 23, 2002

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**No. 02SV016 - Variance to the Subdivision Regulations to waive the requirement for curb and gutter, street light conduit, dry sewer and water** **ITEM 30**

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GENERAL INFORMATION:

PETITIONER	Davis Engineering
REQUEST	<b>No. 02SV016 - Variance to the Subdivision Regulations to waive the requirement for curb and gutter, street light conduit, dry sewer and water</b>
EXISTING LEGAL DESCRIPTION	A portion of Tract F of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract A of Murphy Ranch Estates Subdivision of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.36 acres
LOCATION	Southeast of the intersection of Reservoir Road and Longview Drive
EXISTING ZONING	Limited Agriculture District
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Limited Agriculture District
East:	General Agriculture District
West:	Suburban Residential District
PUBLIC UTILITIES	None
DATE OF APPLICATION	03/28/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

**Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for curb and gutter, street light conduit, dry sewer and water be continued to the June 6, 2002 Planning Commission meeting to be heard in conjunction with the associated Preliminary and Final Plat request.**

GENERAL COMMENTS: This Subdivision Regulations Variance request is the companion item to the Preliminary and Final Plat request for proposed Tract A of Murphy Ranch Estates (File # 02PL029). The plat request has been submitted to plat a 12.36

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acre lot out of a larger tract of land in order to transfer title of the property. The applicant has submitted this Subdivision Regulations Variance request to waive the requirement to install curb and gutter, street light conduit, dry sewer and water along the Long View Road frontage.

**STAFF REVIEW:** This item was continued from the April 25, 2002 Planning Commission meeting. (Updates to the staff report are shown in bold.) Staff has reviewed the proposed Subdivision Variance request and is recommending denial of the request to waive the requirement to install curb and gutter, sidewalks, water, dry sewer and street lights along Longview Drive where it abuts the lot frontage in the associated Preliminary and Final Plat. Subdivision Variances to the road improvement standards have generally only been granted when there is no increase in the density of dwelling units resulting from the subdivision. The associated Preliminary and Final Plat proposes to increase the density of the subdivision by one dwelling unit. The subject property is located outside of the Rapid City Corporate Limits; therefore, the required improvements can not be secured with a Waiver of Right to Protest a future assessment project. The Pennington County Highway Department has indicated though the proposed 12.36 acre lot will have a minimal impact on Long View Road the future subdivision of the property will have a significant negative impact on Long View Road. For these reasons, Staff is recommending that the road section be designed and constructed in accordance with City standards. **On May 10, 2002 the applicant submitted a master plan for the subject property as requested by staff in conjunction with the associated Preliminary and Final Plat. The applicant has requested that the Subdivision Regulations Variance be continued to June 6, 2002 Planning Commission meeting to be heard in conjunction with the associated Preliminary and Final Plat.**

**As of this writing, the receipts from the required certified mailing have yet been returned by the applicant.** Staff has not received any objections or inquiries regarding this request.