

STAFF REPORT  
September 23, 2010

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**No. 10SV014 - Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 20 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Pioneer Circle as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 13**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Brian Baxter and Tammie Morin
REQUEST	<b>No. 10SV014 - Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 20 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Pioneer Circle as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	An unplatted parcel of land located in the SW1/4 SE1/4 SW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Baxter Subdivision, located in the SW1/4 SE1/4 SW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.0 acres
LOCATION	7601 Pioneer Circle
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Low Density Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	6/11/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to reduce the pavement

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width from 27 feet to 20 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Pioneer Circle as per Chapter 16.16 of the Rapid City Municipal Code be continued to the **October 7, 2010** Planning Commission meeting.

GENERAL COMMENTS:

**(Update: September 13, 2010. All revised and/or added text is shown in bold print.) This item was continued at the September 9, 2010 Planning Commission meeting to allow the applicant to submit additional information in order for staff to adequately review the Variance requests. To date, the information has not been submitted for review and approval. As such, staff recommends that the Variance to the Subdivision Regulations request be continued to the October 7, 2010 Planning Commission meeting.**

(Update: August 30, 2010. All revised and/or added text is shown in bold print.) This item was continued at the August 26, 2010 Planning Commission meeting to allow the applicant to submit additional information in order for staff to adequately review the Variance requests. To date, the information has not been submitted for review and approval. As such, staff recommends that the Variance to the Subdivision Regulations request be continued to the September 23, 2010 Planning Commission meeting.

(Update: August 12, 2010. All revised and/or added text is shown in bold print.) This item was continued at the August 5, 2010 Planning Commission meeting to allow the applicant to submit additional information in order for staff to adequately review the Variance requests. To date, the information has not been submitted for review and approval. As such, staff recommends that the Variance to the Subdivision Regulations request be continued to the September 9, 2010 Planning Commission meeting.

(Update: July 23, 2010. All revised and/or added text is shown in bold print.) This item was continued at the July 22, 2010 Planning Commission meeting to allow the applicant to submit additional information in order for staff to adequately review the Variance requests. To date, the information has not been submitted for review and approval. As such, staff recommends that the Variance to the Subdivision Regulations request be continued to the August 26, 2010 Planning Commission meeting.

(Update: July 12, 2010. All revised and/or added text is shown in bold print.) This item was continued at the July 8, 2010 Planning Commission meeting to allow the applicant to submit additional information in order for staff to adequately review the Variance requests. To date, the information has not been submitted for review and approval. As such, staff recommends that the Variance to the Subdivision Regulations request be continued to the August 5, 2010 Planning Commission meeting.

The applicant has submitted a Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 20 feet and to waive the requirement to install curb, gutter,

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sidewalk, street light conduit, water and sewer along Pioneer Circle as it abuts the property. In addition, the applicant has submitted a Layout Plat (File #10PL041) to subdivide the property, an approximate 10 acre unplatted parcel, into two lots.

The property is located outside the City limits of Rapid City but within the City's three mile platting jurisdiction. In particular, the property is located approximately 200 feet west of the intersection of Pioneer Circle and Clarkson Road on the north side of Pioneer Circle. Currently, a single family residence is located on proposed Lot 1. Proposed Lot 2 is void of any structural development.

**STAFF REVIEW:**

Additional information is needed in order to review the Variance to the Subdivision Regulations as requested by the applicant. In particular, street sections and drainage calculations must be provided showing that the existing street improvements adequately control stormwater flows in order to determine if curb and gutter are needed. If individual on-site wastewater systems are to be utilized, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval. In addition, water plans prepared by a Registered Professional Engineer identifying the well information and water flow data for the existing water system must be submitted for review and approval.

Staff recommends that the Variance to the Subdivision Regulations be continued to the **October 7, 2010** Planning Commission meeting to allow the applicant to submit the additional information as identified above in order for staff to adequately review the Variance requests.

**Legal Notification Requirement:** The receipts from the certified mailings have been returned.