

STAFF REPORT

October 10, 2002

No. 02SV016 - Variance to the Subdivision Regulations to waive the requirement for curb and gutter, street light conduit, dry sewer and water **ITEM 37**

GENERAL INFORMATION:

PETITIONER	Davis Engineering
REQUEST	No. 02SV016 - Variance to the Subdivision Regulations to waive the requirement for curb and gutter, street light conduit, dry sewer and water
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	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's request to withdraw the Variance to the Subdivision Regulations to waive the requirement for curb and gutter, street light conduit, dry sewer and water.

GENERAL COMMENTS: **This item has been continued twice since the September 5, 2002 Planning Commission meeting. This Staff Report has been revised as of September 30, 2002. All added or revised text is shown in bold print. This Subdivision Regulations Variance request is the companion item to the Preliminary and**

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Final Plat request for proposed Tract A of Murphy Ranch Estates (File # 02PL029). The plat request has been submitted to plat a 12.36 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: 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 that although 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 in the form of a Layout Plat (File #02PL049). Staff has reviewed the Layout Plat and noted several major issues.

Update: On September 30, 2002, the applicant submitted a letter requesting that the Variance to the Subdivision Regulations be withdrawn. As such, staff is recommending that the Planning Commission acknowledge the applicant's request to withdraw the Subdivision Regulations Variance request.