

STAFF REPORT
August 24, 2006

No. 06SV038 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement, and to reduce pavement width as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 23

GENERAL INFORMATION:

PETITIONER	Renner & Associates for Andrea K. Sabow
REQUEST	No. 06SV038 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement, and to reduce pavement width as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The E1/2 E1/4 NW1/4 SW1/4, Section 14, T1N, R7E, BHM, Pennington County, South Dakota, excepting there from Lot B of the S1/4 NW1/4, N1/4 SW1/4, Section 14, shown on the plat filed in Plat Book 3, Page 155, and also excepting there from Lot A, Section 14, shown on the plat filed in Plat Book 3, Page 17, and that part of the NE1/4 SW1/4, Section 14, bounded on the north by Lot B of the S1/4 NW1/4 and the N1/4 of the SW1/4, Section 14, shown on the plat filed in Plat Book 3, page 155, and bounded on the east by the right-of-way for "Old U.S. Highway 16" shown on the plat filed in Highway Plat Book 2, Page 48, and bounded on the south by Lot A, Section 14, shown on the plat filed in Plat Book 3, Page 17, and bounded on the west by the west boundary line of said NE1/4 SW1/4
PROPOSED LEGAL DESCRIPTION	Tracts A, B and C, Tower Place, (description formerly as shown in Book 57 of Deeds, Page 7057, recorded on January 26, 1995), located in the N1/2 SW1/4, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.89 acres
LOCATION	1640 Skyline Ranch Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Agriculture District
East:	General Commercial District - Office Commercial District

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West:	Park Forest District
PUBLIC UTILITIES	Community water and private on-site wastewater
DATE OF APPLICATION	6/9/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement, and to reduce pavement width as per Chapter 16.16 of the Rapid City Municipal Code be continued to the **September 7, 2006 Planning Commission meeting to allow the applicant to submit additional information.**

GENERAL COMMENTS:

(Update, August 13, 2006. All revised and/or added text is shown in bold print.) This item was continued at the July 27, 2006 Planning Commission meeting at the applicant's request to allow them to submit additional information. To date, the additional information has not been submitted. As such, staff is recommending that this item be continued to the September 7, 2006 Planning Commission meeting.

(Update, July 14, 2006. All revised and/or added text is shown in bold print.) This item was continued at the July 6, 2006 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. The applicant has subsequently requested that this item be continued to the August 24, 2006 Planning Commission meeting. As such, staff is recommending that this item be continued as requested.

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer and additional pavement along Tower Road, to waive curb, gutter, sidewalk street light conduit, water, sewer and pavement along Hanks Drive, and to waive curb, gutter sidewalk, street light conduit, sewer water and additional pavement along Skyline Ranch Road. In addition, the applicant has submitted a Preliminary Plat to subdivide the subject property into three lots. (See companion item #06PL086.)

The property is located in the northwest corner of the intersection of Tower Road and Skyline Ranch Road. Currently, a single family residence is located on proposed Tract B and Tract C, respectively.

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STAFF REVIEW:

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

Preliminary Plat: During the review of the associated Preliminary Plat, staff noted that additional information must be submitted identifying the community water system serving the subject property as well as soils information demonstrating that the soils are suitable for on-site wastewater systems. This same information is needed in order to review the Variance to the Subdivision Regulations request. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the **September 7, 2006 Planning Commission meeting to allow the applicant to submit the information and to be heard in conjunction with the associated Preliminary Plat.**

Legal Notification Requirement: The receipts from the certified mailings have been returned. Staff has received several telephone calls voicing concern with the proposed request. In particular, the callers have voiced concern that the associated Preliminary Plat proposes to create lot(s) less than five acres in size.