

STAFF REPORT  
February 22, 2007

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**No. 06SV066 - Variance to the Subdivision Regulations to waive the Requirement to install curb, gutter, sidewalk, street light conduit, water, sewer, pavement; and to allow 10 foot wide dirt road to serve as access to Lot 1 and to allow Wilderness Canyon Road to remain a 24 foot paved street with water as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 18**

GENERAL INFORMATION:

|                               |  |
|-------------------------------|--|
| PETITIONER                    | Boschee Engineering for Dr. Don Oliver   |
| REQUEST                       | <b>No. 06SV066 - Variance to the Subdivision Regulations to waive the Requirement to install curb, gutter, sidewalk, street light conduit, water, sewer, pavement; and to allow 10 foot wide dirt road to serve as access to Lot 1 and to allow Wilderness Canyon Road to remain a 24 foot paved street with water as per Chapter 16.16 of the Rapid City Municipal Code</b> |
| EXISTING<br>LEGAL DESCRIPTION | NE1/4 SE1/4, Section 7, T1S, R7E, BHM, Rapid City, Pennington County, South Dakota   |
| PARCEL ACREAGE                | Approximately 38.75 acres  |
| LOCATION                      | Northwest of the intersection of Wilderness Canyon Road and 47th Avenue West   |
| EXISTING ZONING               | General Agriculture District (Pennington County)   |
| SURROUNDING ZONING            |  |
| North:                        | Suburban Residential District (Pennington County)  |
| South:                        | Highway Services District (Pennington County)  |
| East:                         | General Agriculture District (Pennington County)   |
| West:                         | Highway Services District (Pennington County)  |
| PUBLIC UTILITIES              | Private water and on-site wastewater   |
| DATE OF APPLICATION           | 10/13/2006   |
| 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, pavement along Wilderness Canyon Road and an access easement as per Chapter 16.16 of the Rapid City Municipal Code be **continued to the March 8, 2007 Planning Commission meeting to allow the applicant to submit additional information.**

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GENERAL COMMENTS:

(Update, February 9, 2007. All revised and/or added text is shown in bold print.) This item was continued at the February 8, 2007 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the March 8, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, January 26, 2007. All revised and/or added text is shown in bold print.) This item was continued at the January 25, 2007 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the February 22, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, December 12, 2006. All revised and/or added text is shown in bold print.) This item was continued at the December 7, 2006 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the January 25, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, November 25, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 22, 2006 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the January 4, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, November 10, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 9, 2006 Planning Commission meeting at the applicant's request in order to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the December 7, 2006 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along Wilderness Canyon Road and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along an access easement. In addition, the applicant has submitted a Preliminary Plat to subdivide the

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subject property into three residential lots. The applicant has also submitted an Exception to the Street Design Criteria Manual to allow 156 dwelling units with one point of access in lieu of 40 dwelling units. (See companion item #06PL169.)

On June 19, 2006, the City Council approved a Layout Plat to subdivide the subject property into two lots. In addition, the City Council approved an Exception to the Street Design Criteria Manual to allow 155 dwelling units with one point of access in lieu of 40 dwelling units. (See companion item #06PL046.)

**STAFF REVIEW:**

During the review of the Preliminary Plat and the Variance to the Subdivision Regulations applications, staff has noted that additional information must be submitted to adequately review the requests. In particular, staff noted that a site plan showing the location of the existing residence(s), well(s), septic tanks and drainfields, shed(s), etc. must be submitted for review and approval. In addition, a water system analysis prepared by a Registered Professional Engineer and 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 particular, the information must include percolation test data and location as well as soil profile data and locations. In addition, data must be submitted identifying the depth to ground water. Staff also noted that a utility master plan showing private and public utilities must be submitted for review and approval. **As noted above, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the March 8, 2007 Planning Commission meeting to allow the applicant to submit the additional information**

**Legal Notification Requirement:** The receipts from the certified mailings have been returned. Staff has received one telephone call of inquiry. The caller did not indicate any opposition to the request.