

STAFF REPORT  
May 10, 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 15**

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 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 May 24, 2007 Planning Commission meeting to allow staff to review recently submitted information.**

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GENERAL COMMENTS:

(Update, April 27, 2007. All revised and/or added text is shown in bold print.) This item was continued at the April 26, 2007 Planning Commission meeting to allow the applicant to submit additional information. On April 26, 2007, the applicant submitted water well information and a utility master plan. Staff is recommending that this item be continued to the May 24, 2007 Planning Commission meeting to allow staff to review the recently submitted information.

(Update, April 14, 2007. All revised and/or added text is shown in bold print.) This item was continued at the April 5, 2007 Planning Commission meeting to allow the applicant to submit additional information. On February 23, 2007, the applicant submitted soil percolation test information and a site plan showing the existing development on proposed Lots 1 and 3 and proposed development on proposed Lot 2. However, to date, a water system analysis including data from an existing well and a utility master plan showing private utilities such as telephone, electric, etc. have not been submitted for review and approval. As such, staff is recommending that this item be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, March 24, 2007. All revised and/or added text is shown in bold print.) This item was continued at the March 22, 2007 Planning Commission meeting to allow the applicant to submit additional information. On February 23, 2007, the applicant submitted soil percolation test information and a site plan showing the existing development on proposed Lots 1 and 3 and proposed development on proposed Lot 2. However, to date, a water system analysis including data from an existing well and a utility master plan showing private utilities such as telephone, electric, etc. have not been submitted for review and approval. As such, staff is recommending that this item be continued to the April 26, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, March 10, 2007. All revised and/or added text is shown in bold print.) This item was continued at the March 8, 2007 Planning Commission meeting to allow the applicant to submit additional information. On February 23, 2007, the applicant submitted soil percolation test information and a site plan showing the existing development on proposed Lots 1 and 3 and proposed development on proposed Lot 2. However, to date, a water system analysis (such as data from an existing well), depth to ground water data and a utility master plan showing private utilities such as telephone, electric, etc. have not been submitted for review and approval. As such, staff is recommending that this item be continued to the April 5, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, February 26, 2007. All revised and/or added text is shown in bold print.) This item

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was continued at the February 22, 2007 Planning Commission meeting to allow the applicant to submit additional information. On February 23, 2007, the applicant submitted soil percolation test information and a site plan showing the existing development on proposed Lots 1 and 3 and proposed development on proposed Lot 2. However, to date, a water system analysis (such as data from an existing well), depth to ground water data and a utility master plan showing private utilities such as telephone, electric, etc. have not been submitted for review and approval. As such, staff is recommending that this item be continued to the March 22, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(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

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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 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, staff is recommending that this item be continued to the May 24, 2007 Planning Commission meeting to allow staff to review the recently submitted information as identified above.**

**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.