

STAFF REPORT
May 10, 2007

No. 07SV020 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Cody Schad
REQUEST	No. 07SV020 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Government Lot 1, and Lot A of Lot 2 of SW/14 NW/14, and Government Lot 2 less Lot A, all of Section 7, T1S, R7E, BHM, and Government Lot 6 of Section 6, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1, 2, 3 and 4 of Quartz Canyon Subdivision, Section 7, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 83 acres
LOCATION	North of U.S Hwy 16, East of Quartz Canyon Lane
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District (Pennington County)
East:	Suburban Residential District - General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	3/30/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code be continued to the May **24**, 2007 Planning Commission

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meeting to allow the applicant to submit additional information.

This item was continued at the April 26, 2007 Planning Commission Meeting to allow the applicant to submit additional information. As of this writing no additional information has been submitted. Staff recommends that this item be continued to the May 24, 2007 Planning Commission Meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations request to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water, and sewer. In conjunction with this Variance request the applicant has submitted a Layout Plat (07PL054) request to reconfigure four parcels into three 17.5-acre lots, and a 30.5-acre lot. The application for the Variance to the Subdivision Regulation lists the proposed subdivision as Quartz Canyon subdivision. Currently a subdivision of the same name exists in Pennington County. The applicant shall be required to change the name of the proposed subdivision as a requirement of the platting process.

The subject property is not located within the municipal boundaries of the City of Rapid City, however it is located within the City of Rapid City Three Mile Platting Jurisdiction. The subject property is currently zoned General Agricultural District by Pennington County. Currently the property is void of any structural development. A series of gravel roads provide access throughout the property.

STAFF REVIEW:

Staff has reviewed the applicant's Variance to the Subdivision Regulations request and noted the following considerations:

Layout Plat:

During the review of the associated Layout Plat, Staff noted that access was not provided to Lot 4. In addition the applicant has not clearly identified the street locations from the driveway locations. As such, Staff cannot adequately review the proposed Variance to the Subdivision Regulations request. Staff is recommending that this item be continued to the May 10, 2007 Planning Commission meeting to be heard in conjunction with the revised Layout Plat (07PL054) request.

Water and Sewer:

The applicant indicated that on-site water and sewer would be provided for the subject property. However, the applicant has not submitted any construction plans on how on-site water will be provided and has not demonstrated that the soils are suitable for on-site wastewater treatment systems. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install water be continued to allow the applicant additional time to submit information that addresses these concerns.

Legal Notification Requirement:

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As of this writing, the white slips from the certified mailings and the green cards have not been returned. Staff will notify the Planning Commission at the April 26, 2007 Planning Commission meeting if this requirement has not been met.

Staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code be continued to the May **24**, 2007 Rapid City Planning Commission meeting to allow the applicant time to submit additional information.