

STAFF REPORT
November 8, 2007

No. 07SV039 - Variance to the Subdivision Regulations to waive the requirement to dedicate a planting screen easement and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Reservoir Road as per Chapter 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Ronald Shape
REQUEST	No. 07SV039 - Variance to the Subdivision Regulations to waive the requirement to dedicate a planting screen easement, to allow platting half a right-of-way and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Reservoir Road as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The SE1/4 of the NE1/4, Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 6 of Block 1, Lots 1 thru 9 of Block 2, Lots 1 thru 8 of Block 3 , Lots 1 thru 19 of Block 4, Lots 1 thru 14 of Block 5, Lots 1 thru 23 of Block 6, Lots 1 thru 15 of Block 7, Lots 1 thru 15 of Block 8, Lots 1 thru 13 of Block 9, Lots 1 thru 12 of Block 10, Homestead Subdivision, located in the SE1/4 of the NE1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.125 acres
LOCATION	At the eastern terminus of Homestead Street and west of Reservoir Road
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Low Density Residential District (Planned Residential Development) - Medium Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	Rapid Valley Sanitary District

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DATE OF APPLICATION 7/13/2007

REVIEWED BY Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to dedicate a planting screen easement, to allow platting half a right-of-way and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Reservoir Road as per Chapter 16.16 of the Rapid City Municipal Code be continued to the **November 21, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the possible location(s) of a water main through the property.**

GENERAL COMMENTS:

(Update, October 26, 2007. All revised and/or added text is shown in bold print.) This item was continued to the **November 8, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the possible location(s) of a water main through the property. To date, the applicant has not submitted information identifying an alternate water main location through the property as previously proposed. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the November 21, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the location of a water main as identified.**

(Update, October 12, 2007. All revised and/or added text is shown in bold print.) This item was continued at the October 4, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the possible location(s) of a water main through the property. To date, the applicant has not submitted information identifying an alternate water main location through the property as previously proposed. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the November 8, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the location of a water main as identified.

(Update, September 21, 2007. All revised and/or added text is shown in bold print.) This item was continued at the September 6, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the possible location(s) of a water main through the property. To date, the applicant has not submitted information identifying an alternate water main location through the property as previously proposed. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the October 25, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the location of a water main as identified.

(Update, August 24, 2007. All revised and/or added text is shown in bold print.) This item

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was continued at the August 23, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the possible location(s) of a water main through the property. To date, the applicant has not submitted information identifying an alternate water main location through the property as previously proposed. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the September 20, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the location of a water main as identified.

(Update, August 10, 2007. All revised and/or added text is shown in bold print.) This item was continued at the August 9, 2007 Planning Commission meeting to allow the applicant to submit additional information. On August 2, 2007, the applicant submitted a revised Layout Plat and a Phasing Plan. In particular, the revised Layout Plat identifies the relocation of the eastern north-south street so that it does not interfere with the future location of a Rapid Valley Sanitary District water reservoir to be constructed north of the property. In addition, the Phasing Plan shows the development of the property in four phases. On August 8, 2007, the applicant submitted a Master Utility Plan.

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement along Reservoir Road, to allow platting half a right-of-way and to waive the requirement to provide a planting screen easement along Reservoir Road. In addition, the applicant has submitted a Layout Plat (#07PL096) to subdivide 40 acres into 132 residential lots and two drainage lots. The applicant has also submitted an Annexation Petition request (#07AN003) to annex the property into the City limits of Rapid City.

On September 17, 2001, the City Council approved a Layout Plat (#01PL078) to subdivide the property into 120 residential lots. However, since the Layout Plat was approved more than two years ago, the approval of the Layout Plat has expired. The applicant has subsequently revised the proposed design of the subdivision and submitted this revised Layout Plat application for review and approval.

The property is located at the eastern terminus of Homestead Street and west of Reservoir Road. Currently, the property is void of any structural development.

STAFF REVIEW:

On July 30, 2007, staff met with the applicant and a representative from Rapid Valley Sanitary District to discuss water and sewer service for the development. However, to date a Master Utility Plan has not been submitted for review and approval to determine if water and sewer improvements may be needed along Reservoir Road. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to allow the applicant to submit a Master Utility Plan. As noted above, on August 8, 2007, the applicant submitted a Master Utility Plan showing the extension of water and sewer lines through the development. However, the Master Utility Plan does not show the extension of water and/or

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sewer mains along Reservoir Road. Rapid Valley Sanitary District staff has reviewed the Master Utility Plan and indicated that an alternate route for the water main must be provided if it is not proposed along Reservoir Road in order to provide water service to properties south of this site once the reservoir has been constructed. As such, the applicant has requested that this item be continued to the September 6, 2007 Planning Commission meeting to allow them to meet with Rapid Valley Sanitary District to discuss the possible location(s) of a water main through the property. **As noted above, this item was continued to the November 8, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the possible location(s) of a water main through the property. To date, the applicant has not submitted information identifying an alternate water main location through the property as previously proposed. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the November 21, 2007 Planning Commission meeting to allow the applicant to coordinate with Rapid Valley Sanitary District the location of a water main as identified.**

Notification Requirement: The receipts from the certified mailings have been returned. Staff has received several calls of inquiry regarding this proposal. Several of the callers have voiced concern with the lack of pavement and sidewalk along this portion of Reservoir Road.