

STAFF REPORT

May 22, 2008

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**No. 08SV014 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Sweetbriar Street as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 25**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	DTH LLC
REQUEST	<b>No. 08SV014 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Sweetbriar Street as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	A portion of Tract A of F&N Subdivision, the balance of the E1/2 SW1/4 NW1/4, the balance of the SE1/4 NW1/4, located in the S1/2 NW1/4 and the N1/2 SW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1-8 of Block 1 and 2; Lots 1-33 of Block 3; Tracts A, B, C and D of Block 4; and the Drainage Lot 1, Homestead Plaza Subdivision, located in the S1/2 NW1/4 and in the N1/2 SW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 46.114 acres
LOCATION	East of Timmons Boulevard, south of Neel Street and west of Big Sky Drive
EXISTING ZONING	General Agricultural District / Office Commercial (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	Low Density Residential District
East:	Medium Density Residential District (Planned Residential Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water and Rapid Valley Sanitary District
DATE OF APPLICATION	3/14/2008

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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 and street light conduit along Sweetbriar Street as per Chapter 16.16 of the Rapid City Municipal Code be continued to the **June 5, 2008** Planning Commission meeting to be heard in conjunction with the associated Preliminary Plat.

GENERAL COMMENTS:

**(Update, May 9, 2008. All revised and/or added text is shown in bold print.) This item was continued at the May 8, 2008 Planning Commission meeting to allow the applicant to submit additional information. In particular, the applicant has indicated that additional sewer information will be submitted for review and approval either showing the sewer flows split between Rapid City and Rapid Valley Sanitary District as per the existing service boundaries or a sanitary sewer analysis will be submitted for review and approval demonstrating that capacity exists to sewer the entire site through the Rapid Valley Sanitary District. If capacity is available and Rapid Valley Sanitary District is agreeable to taking the sewer effluent, agreements must be entered into between the City of Rapid City and Rapid Valley Sanitary District. Additionally, documentation needs to be submitted to show that the proposed lots, particularly along the southern tier, are adequate to accommodate typical building footprints.**

**To date, the information has not been submitted for review and approval. As such, staff is recommending this item be continued to the June 5, 2008 Planning Commission meeting with the applicant's concurrence.**

(Update, April 25, 2008. All revised and/or added text is shown in bold print.) This item was continued at the April 24, 2008 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 this item be continued to the May 22, 2008 Planning Commission meeting with the applicant's concurrence.

(Update, April 10, 2008. All revised and/or added text is shown in bold print.) This item was continued at the April 10, 2008 Planning Commission meeting to be heard in conjunction with an associated Preliminary Plat (File #08PL030). To date, the information has not been submitted for review and approval in order for the Preliminary Plat to be considered. As such, staff is recommending this item be continued to the May 8, 2008 Planning Commission meeting with the applicant's concurrence.

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Sweetbriar Street as it abuts the property. In addition, the applicant has submitted a Preliminary Plat (File #08PL030) to subdivide the property into 54 lots.

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The property is located east of Timmons Boulevard, south of Neel Street and west of Big Sky Drive. Currently, the property is void of any structural development.

STAFF REVIEW:

On April 1, 2008, staff met with the applicant to discuss the proposed design and service boundaries of the sanitary sewer system for the development since the southern portion of the property is located within the Rapid Valley Sanitary District service area and the northern portion of the property is located within the City of Rapid City's service area. Subsequently, staff and the applicant concurred that the Preliminary Plat must be continued to allow this issue to be resolved. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the **June 5, 2008** Planning Commission meeting to be heard in conjunction with the Preliminary Plat.

Legal Notification Requirement: The receipts from the certified mailings have been returned. Staff has received several calls of inquiry regarding this proposal.