

STAFF REPORT

September 7, 2000

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**SVAR #00SV017 - Variance to the Subdivision Regulations to waive the requirement to provide topographic mapping, engineering plans and construction improvements and to waive the requirement for subdivision improvements including street surfacing (including graveling), sidewalks, curb and gutter, dry sewer and street lighting conduit for Bears Loose Road, 47th Avenue West and Section Line Highway**

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**ITEM 16**

GENERAL INFORMATION:

PETITIONER	Renner and Sperlich for Olde Glory Marketing
REQUEST	<b>SVAR #00SV017 - Variance to the Subdivision Regulations to waive the requirement to provide topographic mapping, engineering plans and construction improvements and to waive the requirement for subdivision improvements including street surfacing (including graveling), sidewalks, curb and gutter, dry sewer and street lighting conduit for Bears Loose Road, 47th Avenue West and Section Line Highway</b>
LEGAL DESCRIPTION	Lots 13 and 14 of Canyon Shadows Subdivision (formerly the unplatted balance of the NW1/4 of the NE1/4 of Section 8, T1S, R7E, BHM) located in the NW1/4 of the NE1/4, Section 8, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.369 Acres
LOCATION	At the intersection of 47th Avenue West and Bears Loose Road
EXISTING ZONING	Low Density Residential District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Low Density Residential District (County)
East:	Low Density Residential District (County)
West:	Low Density Residential District (County)
PUBLIC UTILITIES	Shared Well or Central Water (proposed) Septic Tank and Drainfields (proposed)
REPORT BY	Bill Lass

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RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to provide topographic mapping be denied. Staff recommends that the Variance to the Subdivision Regulations to waive engineering plans and construction improvements for paving Bears Loose Road, 47th Avenue West and the Section Line Highway to City minimum construction standards be denied. Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for subdivision plans and improvements for sidewalks, curb and gutter, dry sewer and street lighting conduit for Bears Loose Road, 47th Avenue West and Section Line Highway be approved.

GENERAL COMMENTS: This Subdivision Variance request is the companion item to the Preliminary and Final Plat for Canyon Shadows Subdivision. The petitioner is seeking to waive all requirements to the two gravel roadways and the unimproved section line highway which surround the subject property.

STAFF REVIEW: As part of an earlier Layout Plat review, Staff noted that typically the City supported subdivision variances in cases such as this where the property was located partially within and partially outside the three-mile area. These cases usually involved large segments of discontinuous pavement sections but in this case the road is already paved to the subject property. Forty-Seventh Avenue West is paved to the intersection of Bear's Loose Road. City Staff believes it would be inappropriate to waive the paving requirements because the paving would be contiguous to existing paved roadway. In addition, a significant amount of developable land exists to the north and northwest of the subject property at the end of Bear's Loose Road and 47<sup>th</sup> Avenue West. Staff is recommending that the variances to all other requirements including street lights, curb and gutter, and sidewalks be granted. Staff is recommending denial of the Subdivision Variance request for the topographic information. The Engineering Division has noted that this is standard information required as part of the platting process and is needed in order to determine if the new development can afford adequate drainage.