

STAFF REPORT

March 8, 2001

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**PLAT #00PL136 - Final Plat**

**ITEM 31**

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GENERAL INFORMATION:

PETITIONER	Doug Sperlich for Suzanne Gabrielson
REQUEST	<b>PLAT #00PL136 - Final Plat</b>
LEGAL DESCRIPTION	Lots 1 and 2 of Tract L of Gray's Subdivision (formerly Tract L of Gray's Subdivision) located in the N1/2 of the NW1/4 of Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.79 Acres
LOCATION	At the western terminus of City Springs Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (County)
East:	Low Density Residential District
West:	General Agriculture District
PUBLIC UTILITIES	City Water
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Final Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to Final Plat approval by the City Council, the applicant shall provide engineering plans for the construction of the private access easement and section line highway or a Subdivision Variance shall be granted waiving this requirement;

Urban Planning Division Recommendations:

2. Prior to Final Plat approval by the Planning Commission, the lot size variance shall be approved by the Zoning Board of Adjustment or a rezoning request shall be submitted;
3. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and the subdivision inspection fees shall be paid; and,
4. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted or a Subdivision Variance(s) shall be granted waiving the required improvement(s).

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---

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---

GENERAL COMMENTS: The applicant is proposing to split a 39.79 acre lot into two lots with both being 19.895 acres in size. The property is located west of City Spring Park. The two (2) lots will access a road that will be built in the adjacent section line highway. The section line highway intersects with the terminus of City Spring Road. City water has been extended to serve the properties and waste-water disposal will be by means of an on-site waste water system. The City's sewer is approximately 900 feet to the east of the property.

In 1994, the City approved a Layout and Preliminary Plat for the subject property with the following stipulations:

1. Street construction plan be reviewed and approved;
2. Water utility plans be reviewed and approved; and,
3. Drainage plans be reviewed and approved.

The applicant has changed the original plat slightly from the approved Preliminary Plat. In 1994, the applicant proposed the development of two lots that were 22.67 acres and 16.768 acres in size. The current plat splits the property equally in half.

STAFF REVIEW: Staff has reviewed the Final Plat and has noted the following considerations:

Lot Size - In 1998, the City changed the requirements for lot sizes in the General Agricultural District. For a dwelling unit, a minimum of twenty acres of lot area is required. The applicant is proposing two lots just under the twenty-acre minimum size. The applicant has submitted a lot size variance for the subject property. The variance will be heard by the Rapid City Zoning Board of Appeals at the March 6, 2001 hearing. If the Zoning Variance is denied, the applicant will need to rezone the subject property to Park Forest Zoning District. Staff would only support a rezoning to Park Forest Zoning District in association with a Planned Residential Development. Staff is concerned with the water pressure issues, on-site waste water, access, and density if the property is further subdivided in the future.

Subdivision Variances - The applicant has submitted for a Subdivision Variance to waive the requirements for all public improvements of the section line right-of-way and the private access easement (see associated request 01SV002).

In the 1994 Preliminary Plat review, a number of issues were not addressed including the development of the section line highway and private access easement. The applicant will be developing the section line right of way from the intersection of City Spring Road to a point approximately 800 feet to the west. That would leave approximately 900 feet of section line right-of-way undeveloped. The applicant has requested a Subdivision Variance to waive the construction of the remaining portion of the section line right of way. Based on the topographic information provided, any east/west road along the section line would be unlikely; however it may veer to the north to provide access to the undeveloped property to the north.

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The applicant has identified a forty foot wide access and utility easement that follows the common lot line. During the Preliminary Plat review, no improvements to this easement were identified. However, the Street Design Criteria Manual requires that the easement be constructed to City Standards. The easement currently provides access to the residence constructed on Lot 1.

Access - Currently, 128 dwelling units are located in the Mountain Springs Planned Residential Development and the one dwelling unit is located on the access City Springs Road without a second street access. The City recently approved a special exception allowing an additional eight units in the Mountain Springs Planned Residential Development. This exception was approved because the proposed amendment would not result in an increase in the number of dwelling units beyond the number approved as part of the original Planned Residential Development.

The Preliminary Plat for two lots on the subject property was approved in 1994. The Preliminary Plat was granted prior to the adoption of the amendment to the Street Design Criteria Manual requiring a second access for a development with more than 40 dwelling units. However, the amendment provide an exception allowing developments that had been previously approved with a density of greater than 40 dwellings to be completed without a second access. Since this development was previously approved, Staff supports approval of the Final Plat without requiring a second access. However, no other development may occur without provision of a second access.