

STAFF REPORT

October 4, 2001

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**No. 01PL088 - Final Plat**

**ITEM 10**

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GENERAL INFORMATION:

PETITIONER	Ron & Mary Ann Davis
REQUEST	<b>No. 01PL088 - Final Plat</b>
LEGAL DESCRIPTION	Lots 1 thru 18 of Buffalo Ridge Subdivision formerly: unplatted all located in: NW1/4 NW1/4 of Section 11, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.5 Acres
LOCATION	800 feet south of the intersection of Twilight Drive and Reservoir Road
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
REPORT BY	Vicki L. Fisher

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 Preliminary Plat shall be approved;
2. Prior to Final Plat approval by the City Council, proof of legal entity which will provide the mechanism for street maintenance and snow removal on all proposed subdivision dedicated right-of-ways shall be submitted for review and approval;
3. Prior to Final Plat approval by the City Council, the plat shall be revised to show a shared approach to Lots 14 and 15;
4. Prior to Final Plat approval by the City Council, the plat shall be revised to extend a 49 foot right-of-way to the east lot line;
5. Prior to Final Plat approval by the City Council, the plat shall be revised to identify Lot 1 as a drainage easement;
6. Prior to Final Plat approval by the City Council, a waiver of right to protest an assessment district for the remaining improvements for Reservoir Road for Lots 1 thru 18, Buffalo Ridge Subdivision shall be signed and shall be recorded with the plat;

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**Pennington County Highway Department:**

7. Prior to Final Plat approval by the City Council, the applicant shall enter into an agreement guaranteeing payment to Pennington County for the cost of the Pennington County Highway Department's improvement of Reservoir Road for that portion of the road that abuts the subject property.

**Pennington County Planning Department Recommendation:**

8. Prior to Final Plat approval by the City Council, the accessory structure located on Lot 14 and Lot 15 shall be removed from the property or surety shall be posted for the removal of the structure within 180 days of plat approval;

**Emergency Services Communication Recommendation:**

9. Prior to Final Plat approval by the City Council, the plat shall be revised to identify "Buffalo Ridge Court" as "Shaw Court";

**Urban Planning Division Recommendations:**

10. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval and all subdivision inspection fees paid; and,
11. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

**GENERAL COMMENTS:** The applicant has submitted a Final Plat to subdivide the subject property into 18 residential lots. The property is located approximately 800 feet south of the intersection of Twilight Drive and Reservoir Road on the east side of Reservoir Road. Currently, a single family residence and a detached garage are located on proposed Lot 18 and an accessory structure is located across the common lot line between Lot 14 and Lot 15.

On May 25, 2001, the applicant submitted a Preliminary Plat to subdivide the property as identified on the proposed Final Plat. The Preliminary Plat has been continued several times since the June 21, 2001 Planning Commission meeting to allow the applicant to submit additional drainage information and to revise the construction plans accordingly. (See companion item #01PI052.)

In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk, street light conduit, water and sewer for Reservoir Road. (See companion item #01SV025.)

**STAFF REVIEW:** This item has been continued several times since the August 23, 2001 Planning Commission meeting to allow the applicant to submit additional information and to allow the Final Plat to be heard in conjunction with the Preliminary Plat. This Staff Report has been revised as of September 26, 2001. All revised or added text is shown in bold print.

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

**Reservoir Road:** Reservoir Road is classified as a principal arterial road on the Major Street Plan requiring a minimum 100 foot right-of-way. Reservoir Road is located in a section line right-of-way and currently has a 66 foot wide right-of-way. The plat identifies the dedication of an additional 17 feet of right-of-way along Reservoir Road. The Pennington County Highway Department has also indicated that curb, gutter and sidewalk improvements along Reservoir Road must be constructed along the existing 66 foot wide section line right-of-way in order to coordinate with the County's future road design improvements. The applicant has submitted a Variance to the Subdivision Regulations to waive the street improvements on Reservoir Road. Staff is supporting a portion of the request with the stipulation that the applicant assist the County in the cost of constructing that portion of Reservoir Road that abuts the subject property to the same standard as the County's design plan. The County's road design plan identifies the applicant's portion as a 12 foot wide section of pavement, curb, gutter and a four foot wide sidewalk. In addition, the storm sewer must be extended from the property to the back of the curb. The Pennington County Highway Department has also indicated that the applicant must enter into an agreement guaranteeing payment to Pennington County for the cost of the Highway Department's improvement of Reservoir Road for that portion of the road that abuts the subject property. In addition, the Engineering Division has indicated that the applicant must sign a waiver of right to protest an assessment district for the remaining improvements for Reservoir Road for Lots 1 thru 18 of the Buffalo Ridge Subdivision.

**Zoning:** The property is located in Pennington County outside of the incorporated City limits of Rapid City but within the City's three mile platting jurisdiction. The Pennington County Planning Department has indicated that the subject property is currently zoned Suburban Residential District. The Pennington County Zoning Ordinance requires that the principal use of the property be established prior to an accessory structure being allowed. As previously indicated, a single family residence and a detached garage are located on proposed Lot 18 and an accessory structure is located across the common lot line between Lot 14 and Lot 15. Prior to Final Plat approval, the building located on Lot 14 and Lot 15 must be removed from the property.

**Road Name:** During the review of the Preliminary Plat, the Emergency Services Communication Center indicated that a road in another subdivision was already named Buffalo Ridge Court. As such, the applicant has submitted a revised road name, Shaw Court, to the Emergency Services Communication Center for review and approval. The Emergency Services Communication Center has indicated that the revised name meets with their approval. Prior to Final Plat approval, the plat must be revised to show Buffalo Ridge Court as Shaw Court.

**Plat Labeling:** Prior to Final Plat approval the plat must be revised to show a shared approach to Lots 14 and 15, to extend a 49 foot right-of-way to the east lot line and to identify Lot 1 as a drainage easement.

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**Staff believes that this proposed plat generally complies with all applicable zoning and subdivision regulations assuming compliance with the stated stipulations.**

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