

STAFF REPORT

March 6, 2003

No. 03PL019 - Layout Plat

ITEM 8

GENERAL INFORMATION:

PETITIONER	Dale and Brenda Athow
REQUEST	No. 03PL019 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 1 and 2 of Lot E less Lot A, Morningview Heights; and, the west 60 feet of the north 165 feet of Lot D less the north eight feet of Schamber, Section 9 of the NW1/4 SE1/4, all located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 2R of Lot E less Lot A, Morningview Heights; and, Lot D1 of Schamber, Section 9 of the NW1/4 SE1/4, all located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .46 acres
LOCATION	3519 and 3529 Western Avenue
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	01/28/2003
REPORT BY	Tom Kurtenbach

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

Engineering Division Recommendations:

1. Upon Preliminary Plat submittal, the applicant shall identify an additional five and one half feet as Western Avenue right of way;
2. Upon Preliminary Plat submittal, the applicant shall identify the Leedy irrigation ditch as an easement on the plat;
3. Upon Preliminary Plat submittal, the applicant shall submit a topographic and structural survey;
4. Upon Preliminary Plat submittal, the applicant shall submit documentation demonstrating that

STAFF REPORT

March 6, 2003

No. 03PL019 - Layout Plat

ITEM 8

the Leedy Irrigation Ditch Association is in agreement with the proposed structural development at the subject property.

5. Prior to Final Plat approval by the City Council, the applicant shall install No Parking sign(s) along Western Avenue, or post surety for the required sign(s);

Transportation Planning Division Recommendations:

6. Upon Preliminary Plat submittal, the applicant shall identify the proposed driveway alignment with Northbrook Drive;

Urban Planning Division Recommendations:

7. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval;
8. Prior to Final Plat approval by the City Council, improvements to Meadowbrook Drive shall be completed, or a Variance to the Subdivision Regulations shall be obtained to waive the requirements; and,
9. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

GENERAL COMMENTS: The applicant has submitted a Layout Plat to subdivide three lots into two lots. The subject property incorporates three adjacent lots with a total area of approximately 0.46 acres, and is located south of Western Avenue and east of Meadowbrook Drive. The east most lot is described as the west 60 feet of the north 165 feet of Lot D less the north eight feet. The center lot is described as Lot 1 of Lot E less Lot A, while the west most lot is described as Lot 2 of Lot E less Lot A. For the sake of discussion throughout this report, the lots will be referenced as east, center and west lots of the subject property. The residence of the applicant currently occupies the east lot.

Single family residences occupy the east and west lots of the subject property. The center lot is currently void of structural development. The applicant is proposing to relocate the common lot lines of the center lot, eliminating the center lot in the process. The replatting would provide additional area to the east lot where the applicant desires to build a detached garage. The applicant has provided a hand drawn site plan identifying existing and proposed lot lines, structures and access points at the subject property. Access to the west lot is provided from Meadowbrook Drive. No access is currently provided to the center lot. Access to the east lot is provided from Western Avenue.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail that is provided. All specific details of the subdivision may not be addressed at the Layout Plat but the major concerns and issues are identified based on the minimal information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the City Code or the Street Design Criteria

STAFF REPORT

March 6, 2003

No. 03PL019 - Layout Plat

ITEM 8

Manual will require a formal variance request or a special exception, whichever is applicable.

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

Western Avenue: Currently, Western Avenue has a right of way width of 36 feet. According to the Major Street Plan, Western Avenue is classified as a subcollector street, requiring a minimum of 47 feet of right of way with no on-street parking provision, or a 52 foot wide right of way with on-street parking provisions. Either right of way option would create or increase an already non-conforming building setback for the existing residences located on the east and west lots. Staff recommends that the applicant dedicate an additional five and one half feet as right of way to provide a 47 feet right of way width along Western Avenue. This would require that the applicant install No Parking sign(s) along Western Avenue. Staff recommends that prior to Final Plat approval by the City Council, the applicant shall post surety for No Parking signs along Western Avenue.

The property is currently zoned Low Density Residential District. The Low Density Residential District requires a minimum front yard setback of 25 feet. Currently, single family residences are located on the east and west lots. The residence located on the east lot provides a 25 foot front yard setback and the residence located on the west lot provides a 22.7 foot front yard setback. (The 22.7 foot front yard setback is currently a legal non-conforming yard.) The dedication of five and one-half feet of additional right-of-way along Western Avenue will reduce the two front yard setbacks to 19.5 feet and 17.2 feet. The applicant should be aware that any expansion(s) to the residential structures may require approval of a zoning variance by the Zoning Board of Adjustment to reduce the front yard setback(s) as identified.

Engineering Staff has indicated that a sewer line replacement project is planned for Western Avenue. Staff recommends that the right of way width be increased in conjunction with the sewer project. Any subdivision improvements which currently exist at the site, including pavement, curb, gutter, street lights, water and sidewalks shall be reinstalled as needed as part of the right of way width expansion.

Meadowbrook Drive: Meadowbrook Drive is a paved street without sidewalks and street lights. As with Western Avenue, a sewer line replacement project is planned for Meadowbrook Drive. Chapter 16 of the Rapid City Municipal Code (Subdivision Regulations) requires the installation of sidewalk and street light conduit along Meadowbrook Drive. Prior to Final Plat approval by the City Council, the subdivision improvement requirements to Meadowbrook Drive as specified in Section 16.20.040 of the Rapid City Municipal Code must be completed or secured, or a Subdivision Regulations Variance must be obtained.

Leedy Irrigation Ditch: The Leedy Irrigation Ditch traverses the southern portion of the subject property. The Leedy Ditch is a privately owned ditch which was developed for irrigation purposes. Engineering Staff recommends that upon Preliminary Plat submittal, the plat shall be revised to identify the Leedy Irrigation Ditch within an easement. In addition,

STAFF REPORT

March 6, 2003

No. 03PL019 - Layout Plat

ITEM 8

Staff recommends that the applicant submit topographic and structural surveys upon Preliminary Plat submittal. This information will assist Staff in determining whether the proposed structural development impedes the operations of the Leedy Irrigation Ditch. Upon Preliminary Plat submittal, the applicant shall submit documentation demonstrating that the Leedy Irrigation Ditch Association is in agreement with the proposed structural development at the subject property.

Staff recommends approval of the Layout Plat with the stipulations as referenced above.