

STAFF REPORT

March 6, 2003

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**No. 03PL016 - Preliminary and Final Plat**

**ITEM 39**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineering for Allen Nelson
REQUEST	<b>No. 03PL016 - Preliminary and Final Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 3 and Lot 25 of Forest Park Estates Subdivision and the north 200 feet of the south 940 feet of the west 450 feet of Tract A, all in Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 3R, 25R, and 27 of Forest Park Estates all in Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.2 acres
LOCATION	4231 Starlite Drive
EXISTING ZONING	Low Density Residential District w/Planned Residential Development and Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Residential Development and Low Density Residential District
South:	Low Density Residential District w/Planned Residential Development and Low Density Residential District
East:	Low Density Residential District w/Planned Residential Development
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water and on-site wastewater and water
DATE OF APPLICATION	02/07/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Prior to Preliminary Plat approval by the City Council, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval. In particular, the water plans shall show the

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- extension of City water to Lot(s) 25R and 27 or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval. In particular, the sewer plans shall show the extension of City sewer to Lot(s) 25R and 27 or a Variance to the Subdivision Regulations shall be obtained. In addition, Lot 27 shall connect to the City sewer line or a Variance to the Subdivision Regulations shall be obtained;
  3. Prior to Preliminary Plat approval by the City Council, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, complete street design plans shall be submitted showing the location of utilities, storm drainage, curb, gutter and sidewalk improvements for Starlite Drive, Forest Park Circle and the utility and access easement(s) or a Variance to the Subdivision Regulations shall be obtained;
  4. Prior to Final Plat approval by the City Council, the plat document shall be revised to eliminate the first ten feet of the on-site waste disposal easement as it abuts the front lot line of proposed Lot 27;

#### Register of Deed's Office Recommendation:

5. Prior to Final Plat approval by the City Council, the plat title shall be revised to read "...Tract A of SE1/4SW1/4, all in...";

#### Urban Planning Division Recommendations:

6. Prior to Preliminary Plat approval by the City Council, a Variance to the Zoning Ordinance shall be obtained to allow a lot to abut on a public street for a distance of less than twenty-five feet or the plat shall be revised to comply with the requirement;
7. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
8. 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 Preliminary and Final Plat proposing to reconfigure three lots. The applicant has also submitted a Variance to the Subdivision Regulations request to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and pavement along Starlite Drive and an access easement and to allow sidewalk on one side of Forest Park Circle. (See companion item #03SV007.)

On September 26, 2002, the City Council approved Layout Plat 02PL084 to subdivide the subject property as proposed by this plat.

The property is located in the Forest Park Estates Subdivision, south of Starlite Drive and west of Forest Park Circle. Currently, a single family residence is located on each of the lot(s).

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

Zoning: The subject property is currently zoned Low Density Residential District. However, the east 320 feet of proposed Lot 3R is a part of the Forest Park Estates Planned Residential Development. The applicant should be aware that development and/or redevelopment of the subject property will be limited to those permitted uses within the Low Density Residential District. In addition, that portion of the proposed Lot 3R located within the Planned Residential Development must continually comply with the development standards established as a part of the approved Planned Development. At some point, the applicant may want to expand the boundaries of the Planned Residential Development to include the western portion of Lot 3R in order to maintain consistent development standards for the entire lot.

Lot Configuration: The Zoning Ordinance states that "...lot(s) shall abut on a public street for a distance of not less than twenty-five feet". Proposed Lot 25R abuts a public street for a distance of 10.55 feet. As such, staff is recommending that a Variance to the Zoning Ordinance be obtained or that the plat be revised to comply with the requirement prior to Preliminary Plat approval by the City Council.

Drainfield Easements: The plat document identifies a drainfield easement for the two on-site wastewater systems located on Lots 25 R and 27, respectively. The Engineering Division has indicated that prior to Final Plat approval by the City Council, the plat document must be revised to eliminate the first ten feet of the on-site waste disposal easement as it abuts the front lot line of proposed Lot 27.

Water and Sewer: Currently, Lots 25R and Lot 27 are served by individual on-site water and wastewater systems. Lot 3R is currently being served by City water and sewer. Prior to Preliminary Plat approval by the City Council, a water and sewer plan, prepared by a Registered Professional Engineer must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

The Engineering Division has noted that Lot 27 is located approximately 400 feet from an existing City sewer line. The Subdivision Regulations state that "...any subdivision located within 500 feet of the Rapid City sewer system or any central sewer system shall be required to hook up to that system, unless in the opinion of the City Engineer, special circumstances warrant the waiving of this requirement ". The Engineering Division has indicated that the topographic constraints within this area create a special circumstance and, as such support waiving the requirement to connect to City sewer at this time. The Engineering Division has also indicated that the proposed plat to reconfigure three existing lots does not increase the overall density of the area. Any future subdivision of the property to increase the density may require that the lot(s) connect to City sewer.

Access: Starlite Drive is located north of the subject property and serves as legal access to Lot 25R. A forty foot wide utility and access easement extends south from Starlite Drive and serves as access to Lot 27. Currently, Starlite Drive and the utility and access easement are twenty foot wide paved road(s). Forest Park Circle is located east of the property and serves as access to Lot 3R. Currently, Forest Park Circle is an approximate 24 foot wide

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paved road with curb and gutter. In addition, a fifty foot wide access and utility easement is located adjacent to proposed Lot 25 R and serves as access to an existing lot known as "Lot 2". A 40 foot wide access easement is located along a portion of Lot 3R and serves as access to a lot located directly south of the subdivision. Neither easement is constructed to City street design standards. Prior to Preliminary Plat approval by the City Council, complete street design plans must be submitted showing the location of utilities, storm drainage, curb, gutter and sidewalk improvements for Starlite Drive, Forest Park Circle and the utility and access easement(s) or a Variance to the Subdivision Regulations must be obtained waiving the road improvement(s).

Staff believes that the proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.