

STAFF REPORT  
September 4, 2008

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**No. 08PL102 - Preliminary Plat**

**ITEM 18**

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GENERAL INFORMATION:

APPLICANT/AGENT	Black Hill Area Habitat for Humanity
PROPERTY OWNER	David Kahler
REQUEST	<b>No. 08PL102 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	Block 73 of Mahoney Addition, all located in the SE1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Blocks 73A, 73B and 73C of Mahoney Addition, located in the SE1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.51 acres
LOCATION	1323 Midway Street
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 water and sewer
DATE OF APPLICATION	7/9/2008
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Preliminary Plat be continued to the **October 9, 2008** Planning Commission meeting.

GENERAL COMMENTS: **(Update: August 22, 2008. All revised and/or added text is shown in bold). This item was continued to the September 4, 2008 Planning Commission meeting to allow the applicant to submit the required information. To date the applicant has not submitted the required information or obtained a Variance from the Zoning Board of Adjustment. As such, staff recommends that this item be continued to the October 9, 2008 Planning Commission meeting to allow the applicant to submit the required information.**

STAFF REPORT  
September 4, 2008

---

**No. 08PL102 - Preliminary Plat**

**ITEM 18**

---

The applicant has submitted a Preliminary Plat to subdivide the property into three parcels. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#08SV041) to waive the requirement to install sewer and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code.

The property is located southwest of the intersection of Doolittle Street and Midway Street. Currently, a single family residence and accessory structures are located on the property.

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

Site Plan: A site plan was submitted identifying the location of the existing single family residence on the property. However, a complete site plan identifying all structures and existing utilities must be submitted for review and approval. Staff recommends that prior to Preliminary Plat approval by Planning Commission, a revised site plan shall be submitted for review and approval identifying the location of the existing structures and existing utilities.

On August 5, 2008 the applicant submitted a revised site plan showing the location of existing structures and existing utilities. The site plans identifies an existing overhead power line crossing the proposed lots. As such, staff recommends that prior to City Council approval, a revised plat document be submitted for review and approval providing the necessary utility easements.

Sewer: There is an existing eight inch sewer main located in Midway Street adjacent to the property. However, there does not appear to be a sewer main in the portion of Doolittle Street that is adjacent to the property. In addition, the applicant has not shown the locations of the existing and proposed sewer service lines. Staff recommends that prior to Preliminary Plat approval by Planning Commission, construction plans shall be submitted for review and approval identifying the location of the existing and proposed sewer mains and service lines or a Variance to the Subdivision Regulations shall be obtained.

On August 5, 2008 the applicant submitted a revised site plan showing the location of existing sewer mains and existing service lines. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#08SV041) to waive the requirement to install sewer as per Chapter 16.16 of the Rapid City Municipal Code. However, the applicant has not submitted plans showing the location of the proposed service lines. As such, staff recommends that this item be continued to the **October 9, 2008** Planning Commission meeting to allow the applicant to submit the required information.

Water: There is an existing six inch water main in Doolittle Street and Midway Street adjacent to the property. However, the applicant has not shown the locations of the existing and proposed water service lines. Staff recommends that prior to Preliminary Plat approval by Planning Commission, a revised site plan shall be submitted for review and approval identifying the location of the existing and proposed water services lines.

On August 5, 2008 the applicant submitted a revised site plan showing the location of existing water mains and existing service lines. However, the applicant has not submitted plans showing the location of the proposed water service lines. As such, staff recommends

STAFF REPORT  
September 4, 2008

---

**No. 08PL102 - Preliminary Plat**

**ITEM 18**

---

that this item be continued to the **October 9, 2008** Planning Commission meeting to allow the applicant to submit the required information.

Driveway Locations: The site plan does not identify the driveway locations to the existing and proposed lots. Staff has concerns with the existing driveway crossing the proposed lots. As such, staff recommends that prior to Planning Commission approval of the Preliminary Plat application, a revised plan be submitted for review and approval demonstrating one driveway for each lot.

On August 5, 2008 the applicant submitted a revised site plan showing the location of existing driveways and demonstrated that one driveway serves each lot.

Midway Street: Midway Street is identified as a sub-collector street and must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Midway Street is constructed with a 24 foot wide paved surface, curb, gutter, street light conduit, sewer and water. However, the location of existing and proposed right-of-way widths as required per Section 16.20.0409(1)(2) was not indicated on the plat document. Staff recommends that prior to City Council approval of a Preliminary Plat application, road construction plans for Midway Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. In addition, staff recommends that prior to Planning Commission approval of the Preliminary Plat application, a revised plat document shall be submitted for review and approval demonstrating the location of all existing and proposed right-of-way widths in compliance with the City Ordinance. In addition, the plat document must be revised to show the minimum required right-of-way widths or a Variance to the Subdivision Regulations must be obtained.

As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations (#08SV041) to waive the requirement to install sewer and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code. In addition, on August 5, 2008 the applicant submitted revised documents demonstrating the existing right-of-way width and proposed to dedicate an additional 9.5 feet right-of-way to provide their half of the required 52 feet of right-of-way.

Doolittle Street: Doolittle Street is identified as a sub-collector street and must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Doolittle Street is constructed with a 24 foot wide paved surface, curb, gutter, street light conduit and water. However, the location of existing and proposed right-of-way widths as required per Section 16.20.0409(1)(2) was not indicated on the plat document. Staff recommends that prior to City Council approval of a Preliminary Plat application, road construction plans for Doolittle Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. In addition, staff recommends that prior to Planning Commission approval of the Preliminary Plat application, a revised plat document shall be submitted for review and approval demonstrating the location of all existing and proposed right-of-way widths in compliance with the City Ordinance. In addition, the plat document must be revised to show the minimum required right-of-way widths or a Variance

STAFF REPORT  
September 4, 2008

---

**No. 08PL102 - Preliminary Plat**

**ITEM 18**

---

to the Subdivision Regulations must be obtained.

As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations (#08SV041) to waive the requirement to install sewer and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code. In addition, on August 5, 2008 the applicant submitted revised documents demonstrating the existing right-of-way width and proposed to dedicate an additional 9.5 feet right-of-way to provide their half of the required 52 feet of right-of-way.

Area Regulations: The subject property is zoned Low Density Residential District. Chapter 17.10.050 of the Rapid City Municipal Code requires a lot area of not less than 6,500 square feet, dwellings and detached garages must be set back not less than 25 feet from all streets, and all dwellings must have a minimum lot width of 50 feet at the front building line. Staff noted that proposed Lot 73-A will not meet the minimum lot size, minimum setbacks, and minimum lot width when the required amount of right-of-way is dedicated through this platting process. In addition, proposed lots 73-B and 73-C do not meet the minimum lot width. As such, staff is recommending that this item be continued to allow the applicant to submit a revised plat document for review and approval that meets the minimum area and lot width requirements as per Chapter 17.10.050 of the Rapid City Municipal Code or obtain a Zoning Variance through the Rapid City Zoning Board of Adjustment. Staff encourages the applicant to revise the request to allow two lots rather than three lots to allow compliance with the applicable provisions of the Rapid City Municipal Code and the maximum allowable densities.

The applicant has submitted a Zoning Variance for lot width, setbacks, and minimum lot size that will be considered at the August 19, 2008 Zoning Board of Adjustment meeting.

**On August 19, 2008 the Zoning Board of Adjustment denied the applicant's request for a Zoning Variance for lot width, setbacks, and minimum lot size. The applicant has indicated that a revised plat and Zoning Variance will be submitted for the October 7, 2008 Zoning Board of Adjustment meeting. As such, staff recommends that this item be continued to the October 9, 2008 Planning Commission meeting.**

Lot Width: Section 16.12.190 of the Rapid City Municipal Code states that for lots in residential districts having a width of not more than 150 feet, the lot length shall not be greater than twice the lot width. Staff noted that proposed lengths of the lots are currently greater than twice the lot width. As such, staff recommends that prior to City Council approval, a revised plat document be submitted for review and approval meeting the requirements of Section 16.12.190 of the Rapid City Municipal Code or obtain an exception to allow lots with a length that is greater than twice the width.

Sidewalks: Staff noted that sidewalks are currently constructed on the east side of Midway Street and the south side of Doolittle Street. The applicant would be responsible for installing sidewalks adjacent to the existing residence prior to Final Plat approval or post surety for those improvements. The sidewalks for the lots proposed to be developed would require that sidewalks be installed at the time a building permit is issued for those lots.

Building Envelope: It appears that it would be difficult to meet the setback requirements of the

STAFF REPORT  
September 4, 2008

---

**No. 08PL102 - Preliminary Plat**

**ITEM 18**

---

Low Density Residential District for the proposed lots. As such, staff is recommending that prior to Planning Commission approval of the Preliminary Plat application, a site plan shall be submitted for review and approval demonstrating the building envelopes for the proposed lots meet the minimum setback requirements for the Low Density Residential District or revise the plat document to comply with the setback requirements of the Rapid City Municipal Code.

Public Comment: Staff has received comments from three area residents expressing concern with the proposed density of the development, the inadequate size of the proposed lots, lack of adequate building areas on the proposed lots and the need for sidewalks to be installed in the area. All three supported the subdivision of the property into two lots.

Staff recommends that the Preliminary Plat be continued to the **October 9, 2008** Planning Commission meeting to allow the applicant to submit the required information.