

STAFF REPORT
October 24, 2013

No. 13PL108 - Preliminary Subdivision Plan

ITEM 11

GENERAL INFORMATION:

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| APPLICANT | Perry and Lorie Bicek |
| PROPERTY OWNER | Perry and Lorie Bicek |
| REQUEST | No. 13PL108 - Preliminary Subdivision Plan |
| EXISTING LEGAL DESCRIPTION | Lots 14 and 15 of Block 1 of Gemstone Subdivision, located in Government Lot 1, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lots 14A, 14B, 15A and 15B in Block 1 of Gemstone Subdivision |
| PARCEL ACREAGE | Approximately 0.732 acres |
| LOCATION | 508 and 512 Topaz Lane |
| EXISTING ZONING | Low Density Residential District II (Planned Development) |
| FUTURE LAND USE DESIGNATION | Residential |
| SURROUNDING ZONING | |
| North: | Low Density Residential District |
| South: | Low Density Residential District II (Planned Development) |
| East: | Low Density Residential District II |
| West: | Low Density Residential District II (Planned Development) |
| PUBLIC UTILITIES | City Sewer and Water |
| DATE OF APPLICATION | October 14, 2013 |
| REVIEWED BY | Vicki L. Fisher / Nicole Lecy |

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulation:

1. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of an additional 1.5 feet of right-of-way along Topaz Lane or an Exception shall be obtained.

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GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to subdivide two existing lots into four townhome lots. The lots are to be known as Lots 14A, 14B, 15A and 15B of Block 1 of Gemstone Subdivision.

This phase of Gemstone Subdivision was originally platted on July 16, 2007 (File #07PL104). On June 6, 2011, the Planning Commission approved an Initial and Final Planned Development (File #11PD024) to allow a mix of single family residences and townhome units to be constructed within the Gemstone Subdivision with reduced front yard setback(s). In particular, a minimum 20 foot front yard setback to the garage was approved along Topaz Street. In addition, a minimum 15 foot front yard setback was approved to the residence provided a portion of the structure within this area includes an open deck or porch.

The property is located approximately 150 feet north of the intersection of Sapphire Lane and Topaz lane on the east side of Topaz Lane. A two unit townhome has been constructed on each of the two existing lots. The applicant is proposing to split the existing lots to create four separate townhome lots.

STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Topaz Lane: When the property was originally platted in 2007, Topaz Lane was classified as a lane place street requiring that it be located within a minimum 49 foot wide right-of-way as per the City's adopted Street Design Criteria Manual. However, in March of 2012, the City adopted the Infrastructure Design Criteria Manual which now classifies the street as a local street. Platting the existing lot into two townhome lots requires that all adjacent street(s) be constructed to current design standards. In particular, the Infrastructure Design Criteria Manual requires a minimum 52 foot wide right-of-way for a local street. As such, prior to submittal of a Final Plat application, the plat document must be revised to show the dedication of an additional 1.5 feet of right-of-way along Topaz Lane or an Exception must be obtained. Please note that the applicant has submitted an Exception request to waive the requirement to dedicate the additional right-of-way along the existing street. Staff is currently reviewing the request.

Platting Procedure: Other than the requirement to dedicate additional right-of-way, Topaz Lane is constructed in compliance with the Infrastructure Design Criteria Manual. As such, platting the property as proposed does not require that construction plans be submitted for review and approval. Subsequently, a Development Engineering Plan application is not required. Upon approval of the Preliminary Subdivision Plan application, the applicant may submit a Final Plat application for review and approval.

Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations