

STAFF REPORT

July 24, 2003

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**No. 03PL074 - Final Plat**

**ITEM 31**

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GENERAL INFORMATION:

PETITIONER	William Marx
REQUEST	<b>No. 03PL074 - Final Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 2 and the north 40 feet of Lot 3 in Block B of Canyon Lake Heights Subdivision, located in the NE1/2 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot A and Lot B of Block B, Canyon Lake Heights Subdivision, located in the NE1/2 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.69 acres
LOCATION	4730 Cliff Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Park Forest District with a Planned Development Designation
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	06/27/2003
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 on-site wastewater system located on proposed Lot B shall be relocated to provide a minimum separation of 150 feet from the on-site well or surety shall be posted for the relocation;
2. Prior to Final Plat approval by the City Council, road construction plans for the section line highway shall be submitted for review and approval or a Variance to the Subdivision

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- Regulations shall be obtained or the section line highway shall be vacated;
3. Prior to Final Plat approval by the City Council, road construction plans for Cliff Drive for the installation of curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
  4. Prior to Final Plat approval by the City Council, the applicant shall submit a water well agreement demonstrating that the existing well may serve the additional residential lot;

Fire Department Recommendation:

5. The Uniform Fire Code shall be continually met;

Urban Planning Division Recommendations:

6. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
7. 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 fees shall be paid.

GENERAL COMMENTS:

The applicant has submitted a Final Plat to subdivide the a 1.69 acre lot into two lots. On June 26, 2003, the Planning Commission approved a Preliminary Plat to subdivide the subject property as identified on this plat document. In addition, the Planning Commission recommended denial of a Variance to the Subdivision Regulations to waive the requirement to improve a section line highway located along the west lot line and recommended approval of a Variance to the Subdivision Regulations request to waive the requirement to improve Cliff Drive located along the east lot line of the subject property. (These items will be heard by the City Council on July 21, 2003. See companion items #03PL064 and 03SV022.) The applicant has subsequently submitted a Vacation of Right-of-way Petition to vacate the section line highway. (See companion item #03VR007.)

On February 17, 2003, the City Council approved a Layout Plat to subdivide the subject property into two lots as identified on this plat.

The property is located north of the Ridge Drive/Cliff Drive intersection on the west side of Cliff Drive. Currently, a single family residence is located on proposed Lot B and proposed Lot A is void of any structural development.

STAFF REVIEW:

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

Wastewater: The applicant has indicated that a well located on proposed Lot B will serve both parcels. In addition, a septic tank and drainfield are currently located on proposed Lot B serving the existing residence. The Engineering Division has indicated that the location of the on-site wastewater system is less than 150 feet from the well as required by the South Dakota Department of Transportation. As such, the Engineering Division has indicated that

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the on-site wastewater system must be relocated prior to Final Plat approval by the City Council or surety must be posted for the relocation.

Cliff Drive: Cliff Drive is located along the east lot line of the subject property and is classified as a local road. Currently, curb, gutter, sidewalk, street light conduit, water and sewer have not been constructed along Cliff Drive. As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to improve Cliff Drive as identified. Prior to Final Plat approval by the City Council, the Variance to the Subdivision Regulations must be obtained or construction plans showing these improvements must be submitted for review and approval.

Section Line Highway: During the review of the associated Layout Plat, staff identified that a section line highway is located along the west lot line of the property. Prior to Final Plat approval, the section line highway must be improved to City Street standards or a Variance to the Subdivision Regulations must be obtained to waive the street improvements or the section line highway must be vacated. As previously indicated, the applicant has requested a Variance to the Subdivision Regulations to waive the requirement to improve the section line highway. However, the Planning Commission is recommending denial of the request to waive the improvements. In addition, the City Council recently required a property owner located further north along Cliff Drive to vacate that portion of this section line in lieu of granting the variance request. As such, on June 26, 2003 the applicant submitted a request to Vacate the section line highway as outlined above. Prior to City Council approval of the Final Plat, the section line highway issue must be addressed as identified or construction plans for the street must be submitted for review and approval.

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