

STAFF REPORT

January 8, 2004

No. 03PL119 - Layout Plat

ITEM 23

GENERAL INFORMATION:

PETITIONER	D.C. Scott Co. for Jerry Burrow
REQUEST	No. 03PL119 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 16 of Twilight Hill Subdivision, Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .5 acre
LOCATION	5252 Ross Court
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	12/15/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Upon submittal of a Preliminary Plat, a grading plan and a drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;
2. Upon submittal of a Preliminary Plat, a complete site plan shall be submitted for review and approval showing all development on the property including accessory structures, retaining walls, fences and service line locations as well as approaches on both sides of Reservoir Road and Ross Court as they abut the subject property;
3. Upon submittal of a Preliminary Plat, road construction plans for Reservoir Road shall be submitted for review and approval. Reservoir Road shall be constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk and street light conduit or a Variance to the Subdivision Regulations shall be obtained;
4. Upon submittal of a Preliminary Plat, road construction plans for Ross Court shall be submitted for review and approval. Ross Court shall be constructed with a minimum 49

STAFF REPORT

January 8, 2004

No. 03PL119 - Layout Plat

ITEM 23

- foot wide right-of-way and a 24 foot wide paved surface, curb, gutter, sidewalk and street light conduit or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Preliminary Plat approval by the Planning Commission, a Special Exception shall be obtained to allow Reservoir Road, which is not the lesser order street, to serve as access to proposed Lot A or the plat document shall be revised to show access to proposed Lot A from Ross Court;
 6. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 7. Prior to Final Plat approval by the City Council, the plat document shall be revised to include the dedication of 17 additional feet of right-of-way along Reservoir Road or a Variance to the Subdivision Regulations shall be obtained;
 8. Prior to Final Plat approval by the City Council, the plat document shall be revised to show a non-access easement along Ross Court and Reservoir Road except for approved approach location(s);

Pennington County Highway Department Recommendations:

9. Prior to Final Plat approval by the City Council, an approach permit shall be obtained to allow access from Reservoir Road to proposed Lot A. In addition, the approach shall be constructed or surety posted for the improvement;

Pennington County Planning Department Recommendation:

10. Prior to Final Plat approval by the City Council, a Variance shall be obtained from the Pennington County Board of Adjustment to reduce the front yard setback from 25 feet to 8.9 feet for the single family residence located on proposed Lot A resulting from the dedication of 17 additional feet of right-of-way along Reservoir Road or a Variance to the Subdivision Regulations shall be obtained to waive the requirement to dedicate the additional right-of-way;
11. Prior to Final Plat approval by the City Council, a building permit to allow a single family residence on proposed Lot A shall be submitted for review; and,

Urban Planning Division Recommendations:

12. 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 Layout Plat to subdivide the subject property into two residential lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way and improve the pavement width along Reservoir Road as well as to waive the requirement to construct curb, gutter, sidewalk and street light conduit along Reservoir Road and Ross Court. (See companion item #03SV48.)

The Pennington County Planning Department has indicated that a building permit was issued to allow a garage to be constructed on the northern half of the subject property.

STAFF REPORT

January 8, 2004

No. 03PL119 - Layout Plat

ITEM 23

However, a single family residence with an attached garage was constructed. Since a single family residence already exists on the southern half of the property, the second residence is an illegal structure. As such, the Pennington County Planning Department has indicated that the property must be platted as proposed to create two lots or one of the residences must be removed from the property. If the property is successfully platted, then a building permit to allow a single family residence with an attached garage in lieu of just a garage must be obtained. Even though a building permit can not be approved until the property is platted into two lots, staff is recommending that a building permit for the second residence be submitted for review prior to Final Plat approval by the City Council.

On October 1, 2001 the City Council approved a Layout Plat to subdivide the subject property into two lots as identified on this plat. The property is located in the northwest corner of the Ross Court/Reservoir Road intersection.

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 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 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 Rapid City Municipal Code or the Street Design Criteria 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:

Reservoir Road: Reservoir Road is located along the east lot line of the subject property and is classified as a principal arterial street on the City's adopted Major Street Plan. The total right-of-way width for a principal arterial street is 100 feet requiring that the applicant dedicate an additional 17 feet of right-of-way as part of this plat. Dedicating the additional right-of-way will reduce the front yard setback from 25 feet to 8.9 feet for the second residence located on proposed Lot A. As such, the applicant must obtain a Variance from the Pennington County Board of Adjustment reducing the front yard setback as identified prior to Final Plat approval or obtain a Variance to waive the requirement for the dedication of the additional right-of-way.

Currently, Reservoir Road is constructed with an approximate 24 foot wide paved surface. Rapid Valley Sanitary District water and sewer facilities are constructed in the adjacent portion of Reservoir Road. The Street Design Criteria Manual requires that a principal arterial street be constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk and street light conduit. As such, upon Preliminary Plat submittal, road construction plans for Reservoir Road must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

STAFF REPORT

January 8, 2004

No. 03PL119 - Layout Plat

ITEM 23

Ross Court: Ross Court is located along the south lot line of the subject property and is classified as a lane place street. A lane place street must be constructed with a minimum 49 foot wide right-of-way and a 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Ross Court is constructed with a 52 foot wide right-of-way and a 24 foot wide paved surface, water and sewer. Upon Preliminary Plat submittal, road construction plans showing the construction of curb, gutter sidewalk and street light conduit must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Approach Permit: The Pennington County Highway Department has indicated that an approach permit was issued in 2002 to allow access to a garage from Reservoir Road. As previously indicated, a single family residence with an attached garage was constructed in lieu of the garage. The Pennington County Highway Department has also indicated that the approach was never constructed with a 15 inch diameter culvert as proposed by the applicant. As such, the approach permit has been revoked. The Pennington County Highway has indicated that another approach permit must be obtained to allow access to a single family residence from Reservoir Road. In addition, the approach must be constructed or surety posted for the improvement prior to Final Plat approval by the City Council.

Special Exception: The Engineering Division has indicated that since the property has frontage on more than one street, access must be taken from the lesser order street as per the Street Design Criteria Manual. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, a Special Exception be submitted for review and approval to allow Reservoir Road, which is not the lesser order street, to serve as access to proposed Lot A or the plat document be revised to show access to proposed Lot A from Ross Court.

Drainage: The Pennington County Highway Department and Rapid City Engineering Division have both indicated that a grading plan and drainage plan must be submitted for review and approval illustrating how drainage will be handled to insure that neighboring properties will not be impacted by this additional development. In addition, the location and size of necessary easements will be determined based on the submitted drainage information. Staff is recommending that upon Preliminary Plat submittal, a grading and drainage plan be submitted for review and approval as identified and that the plat document be revised to show drainage easements as needed.

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