

STAFF REPORT  
August 26, 2004

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**No. 04PL102 - Layout Plat**

**ITEM 6**

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GENERAL INFORMATION:

PETITIONER	Garry McKinnon
REQUEST EXISTING LEGAL DESCRIPTION	<b>No. 04PL102 - Layout Plat</b> Lot 1, Lot 2, north 6 feet of Lot 3 and vacated adjacent alley, Block 14, Green Acres Subdivision, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 Revised and Lot 2 Revised in Block 14 of Green Acres Addition, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .5 acres
LOCATION	3317 West Rapid Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/22/2004
REVIEWED BY	Renee Catron-Blair / Curt Huus

RECOMMENDATION:

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

1. Prior to submittal of a Final Plat application, the plat document shall be revised to add in the title, the section, township and range of the property and the formerly statement: "of Green Acres Addition";
2. Prior to submittal of a Final Plat application, the plat document shall be revised to include the required Final Plat certificates;
3. Prior to Preliminary Plat approval by the City Council, a drawing showing topographical information, existing utilities and approaches for the entire property shall be submitted for review and approval;
4. Upon submittal of a Preliminary Plat, 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 or a Variance to the Subdivision Regulations shall be obtained;

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5. Upon submittal of a Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained; and,
6. Upon submittal of a Final Plat, 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 change the existing lot configuration of two adjoining lot lines to the east approximately 11 feet. The two lots totaling half an acre are proposed and identified as Lot 1 Revised and Lot 2 Revised. Currently, there is a single family residence and garage on proposed Lot 1 Revised and a commercial building and house on Lot 2 Revised.

The subject property is located in west Rapid City on the corner of North 32<sup>nd</sup> Street, West Rapid Street and Vale Street.

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 as part of the Layout Plat approval 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:

**Zoning:** The property is currently zoned General Commercial. The existing non-commercial structures on the property appear to have been built in 1944 and annexed in 1947 creating a legal nonconforming zoning status due to building setback requirements and having a residence on the property zoned General Commercial. The commercial building received a variance for a reduced building setback on North 32<sup>nd</sup> Street, a reduced sight triangle and parking requirements through the Zoning Board of Adjustments on December 6, 1994, item #3136.

**Plat:** The plat document must be revised to include the required Final Plat certificates. In particular, the language referring to "Planning Director" must be changed to read "Growth Management Director" and no Certificate of Public Works Director block is required. The title must be revised to add the section, township and range of the property and the formerly statement must be revised to add "of Green Acres Addition" and "Lot 3", not the north 6 feet of Lot 3.

**Vale Street:** Plans must be submitted for review and approval showing the extension of sanitary

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sewer mains and service lines and the extension of water mains to complete the loop or a Variance to the Subdivision Regulations must be obtained. Currently, Vale Street is constructed with pavement, curb, gutter, sidewalk and street light conduit as it abuts the subject property.

West Rapid Street & North 32<sup>nd</sup> Street: Plans must be submitted for review and approval showing the extension of sanitary sewer mains and service lines or a Variance to the Subdivision Regulations must be obtained. Currently, West Rapid Street and North 32<sup>nd</sup> Street is constructed with pavement, curb, gutter, sidewalk, water and street light conduit as it abuts the subject property.

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