

STAFF REPORT
March 10, 2005

No. 05PL031 - Preliminary Plat

ITEM 45

GENERAL INFORMATION:

PETITIONER	D.C. Scott Co., Land Surveyors for Highmark Builders
REQUEST	No. 05PL031 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 1, Lot B, Lot C and Well Lot of Miracle Place Subdivision located in the SE1/4 SE1/4 of Section 8, and in the SW1/4 of Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot AR, Lot BR, Lot Cr, Lot D and Revised Well Lot of Miracle Place Subdivision, located in the SE1/4 SE1/4 of Section 8, and in the SW1/4 of Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.682 acres
LOCATION	Along Miracle Place
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	Private community water well and City sewer
DATE OF APPLICATION	2/11/2005
REVIEWED BY	Vicki L. Fisher / David L. Johnson

RECOMMENDATION:

If the Planning Commission determines that it is appropriate to subdivide the property into four lots, then staff recommends that the Preliminary Plat be approved with the following stipulations:

1. Prior to Preliminary Plat approval by the City Council, a complete site plan shall be submitted for review and approval showing all utilities, structural development and topographic information. In addition, the applicant shall demonstrate that the existing structures meet all the minimum yard setbacks or the plat document shall be revised to provide the setback(s) or a Variance to reduce the setback(s) as needed shall be obtained from the Zoning Board of Adjustments;
2. Prior to Preliminary Plat approval by the City Council, a revised drainage plan, including run-off for the additional lot, shall be submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;

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3. Prior to Preliminary Plat approval by the City Council, water plans showing the design of the community water system shall be submitted for review and approval. In particular, the applicant shall demonstrate that domestic flow requirement(s) are being met for all four lots;
4. Prior to Preliminary Plat approval by the City Council, road construction plans for Cliff Drive shall be submitted for review and approval. In particular, the road construction plans shall show the construction of street light conduit, sidewalk, curb, gutter and water along Cliff Drive or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Preliminary Plat approval by the City Council, road construction plans for Miracle Place shall be submitted for review and approval. In particular, the road construction plans shall show the construction of street light conduit, sidewalk, curb, gutter and water along Miracle Place or a Variance to the Subdivision Regulations shall be obtained;
7. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
8. The International Fire Code shall be continually met;
9. Prior to submittal of a Final Plat application, all of the affected utility companies shall submit written documentation concurring with the revised lot configuration(s) or the plat document shall be revised retaining an eight foot wide utility easement along the existing lot line(s); and,
10. Upon submittal of a Final Plat application, 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 Preliminary Plat to subdivide three lots into four lots and to reconfigure a well lot. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk, street light conduit, curb, gutter and water along Cliff Drive and Miracle Place as they abut the subject property. (See companion #05SV017.)

On September 23, 2003 the City Council approved a Layout Plat subdividing the subject property into three lots. In addition, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter sidewalk and water along Cliff Drive, to waive the requirement to install water along Miracle Place and to waive the requirement to install curb, gutter and sidewalk along the west side of Miracle Place with the stipulation that it be constructed along the east side of the street.

The property is located in the southwest corner of the intersection of Miracle Place and Cliff Drive. Currently, a single family residence is located on proposed Lot AR, Lot BR, and Lot D, respectively.

STAFF REVIEW:

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

Site Plan: The applicant has submitted a site plan showing the existing residential development. It appears that the residence located on proposed Lot D does not meet the minimum 25 foot front yard setback requirement. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a detailed site plan be submitted for review

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and approval demonstrating that all minimum yard setback(s) are being met or the plat document must be revised to provide the minimum yard setback(s) or a Variance to reduce the setback(s) must be obtained from the Zoning Board of Adjustment.

Utility Easements: As previously indicated, the Preliminary Plat identifies the subdivision of three lots into four lots. As such, staff is recommending that prior to submittal of a Final Plat application, all of the affected utility companies must submit written documentation concurring with the revised lot configuration(s) or the plat document must be revised retaining an eight foot wide utility easement along the current lot line(s).

Cliff Drive: Cliff Drive is classified as a sub-collector street requiring a minimum 47 foot wide right-of-way with a minimum 22 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Cliff Drive is located in an 80 foot wide right-of-way and constructed with a 24 foot wide paved surface and sewer. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for Cliff Drive be submitted for review and approval. In particular, the road construction plans must show the construction of street light conduit, sidewalk, curb, gutter and water along Cliff Drive or a Variance to the Subdivision Regulations must be obtained.

Miracle Place: Miracle Place is classified as a lane place street requiring a minimum 49 foot wide right-of-way with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Miracle Place is located in a 50 foot wide right-of-way and constructed with a 24 foot wide paved surface and sewer. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for Miracle Place be submitted for review and approval. In particular, the road construction plans must show the construction of street light conduit, sidewalk, curb, gutter and water along Miracle Place or a Variance to the Subdivision Regulations must be obtained.

In 2003, a Preliminary and Final Plat was submitted to subdivide the subject property into four residential lots, similar to this Preliminary Plat. Numerous area property owners objected to the proposed development stating that the residential traffic generated by the development would have a negative impact on Cliff Drive. In addition, they were concerned that the proposed lot sizes were not compatible with the existing area development. Subsequently, the applicant requested that the Preliminary and Final Plat be denied without prejudice. A new applicant then submitted a request to divide the property into three lots as they felt the reduced density was consistent with the adjacent development. A majority of the area property owners did not object to the City Council approval of a Preliminary and Final Plat subdividing the subject property into three lots. This Preliminary Plat proposes to subdivide the three lots into four lots. The Planning Commission should give consideration to whether or not the return to the higher density of development as originally proposed is appropriate.

If the Planning Commission determines that it is appropriate to subdivide the subject property into four lots, then staff is recommending that the Preliminary Plat be approved with the stipulations as previously stated.