

STAFF REPORT
January 26, 2006

No. 05PL254 - Layout Plat

ITEM 18

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying for Rapid City Columbian Club
REQUEST	No. 05PL254 - Layout Plat
EXISTING LEGAL DESCRIPTION	The west 5 feet of Lot 9, Lots 10 - 16, Lots 25 - 27 and the north 70 feet of Lots 17 - 24 in Block 126 of Original Townsite of Rapid City and vacated alley adjoined thereto, less dedicated alley in Lot 9 and less Lot H-1 of Lot 17 in the NW1/4 of Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A and B of Knight's of Columbus Subdivision, formerly the west 5 feet of Lot 9, Lots 10 - 16, Lots 25 - 27 and the north 70 feet of Lots 17 - 24 in Block 126 of Original Townsite of Rapid City and vacated alley adjoined thereto, less dedicated alley in Lot 9 and less Lot H-1 of Lot 17 in the NW1/4 of Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.22 acres
LOCATION	910 Fifth Street
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	Office Commercial District
South:	High Density Residential District
East:	High Density Residential District
West:	High Density Residential District - Public District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/30/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains along 5th Street and Columbus Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;

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2. Prior to submittal of a Preliminary Plat application, the property shall be rezoned and an Initial and Final Planned Commercial Development and/or Conditional Use Permit shall be reviewed and approved to bring the existing use(s) of a recreational center on proposed Lot A and office use on proposed Lot B into compliance with the Rapid City Municipal Code or the use(s) shall cease on both properties;
3. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
4. Prior to submittal of a Final Plat application, the applicant shall enter into an agreement to hold harmless the City for the existing sewer main located under the existing building on proposed Lot A;
5. Upon submittal of a Final Plat application, the plat document shall be revised to show utility easements for the water service line and sanitary sewer line extending across proposed Lot A;
6. Upon submittal of a Final Plat application, the formerly portion of the plat title shall be revised to read "the west 5 feet of Lot 9, Lots 10 through 16..."; and,
7. 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 Layout Plat to reconfigure two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sewer along 5th Street and Columbus Street. (See companion item #05SV091.)

The property is located in the southeast corner of the intersection of 5th Street and Columbus Street. Currently, the Knights of Columbus Recreational Center is located on proposed Lot A and an office building is located on proposed Lot B.

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:

Land Use: As previously indicated, the Knights of Columbus Recreational Center is located on proposed Lot A and an office building is located on proposed Lot B. Both properties are currently zoned High Density Residential District and neither use is a legal conforming use on the parcels. An office is a Conditional Use in the High Density Residential District; however, proposed Lot A must be rezoned from High Density Residential District to Office

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Commercial and an Initial and Final Planned Commercial Development and/or a Conditional Use Permit must be obtained to allow the recreational center on the parcel. Staff is recommending that prior to submittal of a Preliminary Plat, the lot(s) must be rezoned as identified and an Initial and Final Planned Commercial Development and/or Conditional Use Permit submitted for review and approval to bring the existing use(s) into compliance with the Rapid City Municipal Code or the use(s) shall cease on both properties.

Sewer: The two proposed lots were originally separated by a 20 foot wide alley. In addition, a sewer main was constructed in the alley to serve the adjacent properties. The alley was, subsequently, vacated and a portion of the recreational center was constructed over the sewer main. Staff is recommending that prior to submittal of a Final Plat application, the applicant enter into an agreement to hold harmless the City for the existing sewer main. The applicant also has the option of removing that portion of the building extending over the sewer main or abandoning the sewer main.

To date, a sewer main has not been constructed in the rights-of-way for 5th Street or Columbus Street. As such, staff is recommending that upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains along 5th Street and Columbus Street must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

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