

# STAFF REPORT

April 5, 2007

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**No. 07PL043 - Layout Plat**

**ITEM 13**

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GENERAL INFORMATION:

PETITIONER	David Kallemeyn for Irvin W. and Illa M. Cannon
REQUEST	<b>No. 07PL043 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 24 of the NE1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 24A and 24B of the NE1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.12 acres
LOCATION	3375 Corral Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Public water and sewer
DATE OF APPLICATION	3/9/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

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

1. Upon submittal of Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains along Easy Street shall be submitted for review and approval;
2. Upon submittal of Preliminary Plat application, construction plans for curb, gutter, street light conduit, and pavement shall be submitted for review and approval;
3. Upon submittal of a Preliminary Plat application, water system plans prepared by a Professional Engineer that demonstrate adequate fire and domestic flows shall be submitted for review and approval;
4. Upon submittal of a Preliminary Plat application, the applicant shall submit plans prepared by a Registered Professional Engineer showing the extension of sewer along Easy Street;

## STAFF REPORT

April 5, 2007

---

### No. 07PL043 - Layout Plat

### ITEM 13

---

5. Upon submittal of a Preliminary Plat application, documentation shall be provided verifying the dedication of a small, irregular lot that is shown on the applicant's site plan. Additional dedication of right-of-way is required if dedication has not already taken place. Easements for water and sewer service lines that traverse through the small, irregular lot shall be obtained and identified on the Plat document if dedication of this right-of-way has not taken place;
6. Upon submittal of Preliminary Plat application, the plat document shall be revised showing a non access easement along Corral Drive as it abuts Lot 24B, and fifty feet of non access easement measured from the curb radius along Easy Street as it abuts Lot 24B;
7. Prior to submittal of Preliminary Plat application, the applicant shall obtain a variance for the front yard setback of the structure on Lot 24A;
8. Upon submittal of a Preliminary Plat application, a grading, drainage, drainage calculations and erosion control plan prepared by a Registered Professional Engineer shall be submitted for review and approval;
9. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
10. Upon submittal of a Preliminary Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

#### GENERAL COMMENTS:

The applicant has submitted a Layout Plat application to subdivide an existing two acre lot into a 0.4 acre lot known as Lot 24B, and a 1.6 acre lot known as Lot 24A. The subject property is located at the intersection of Corral Drive and Easy Street. A single family residence is located on Lot 24. The subject property is zoned Low Density Residential District. A Variance to the Subdivision Regulations (07SV016) to waive the requirement to install curb, gutter, sidewalk, pavement, street light conduit, water and sewer along Easy Street, and to waive the requirement to install sidewalk along Corral Drive has been filed in conjunction with this Layout Plat request.

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 applicant's proposed Layout Plat and noted the following considerations:

STAFF REPORT  
April 5, 2007

---

**No. 07PL043 - Layout Plat**

**ITEM 13**

---

Zoning:

The subject property is zoned Low Density Residential. The required front yard setback in a Low Density Residential district is twenty five feet. A site plan submitted by the applicant identifies the single family dwelling located on proposed Lot 24A to have a front yard setback of twenty one feet. Staff acknowledges that the structure is currently a legal conforming structure. As part of the platting process the applicant is required to meet all setback standards or obtain a variance. Staff recommends that the applicant obtain a variance to the front yard setback prior to submittal of a Preliminary Plat.

Corral Drive

The subject property is bounded by Corral Drive on the north. The Major Street Plan classifies Corral Drive as a Minor Arterial Street. Corral Drive does not meet the requirement of a minimum 100 feet of right-of-way, however Corral Drive meets the minimum 12 feet per lane of pavement width. Upon submittal of Preliminary Plat the applicant shall verify that the required width of right-of-way has been dedicated, or the applicant shall be required to dedicate additional right-of-way to meet the 100 feet requirement. Curb, gutter, water mains, and sewer mains are currently in place along Corral Drive. Sidewalk exists along the northern side of Corral Drive, however there is no sidewalk on the southern side. The applicant is required to construct sidewalk along the southern side of Corral Drive or obtain a Variance to the Subdivision Regulations.

The applicant has submitted a site plan identifying a small, irregular lot that lies parallel to the proposed Lot 24A and the right-of-way of Corral Drive. The survey submitted with the application does not identify this small, irregular lot. The survey identifies the entire area between the applicant's property and the Corral Drive as being right-of-way. Prior to submittal of a Preliminary Plat the applicant shall verify if this small, irregular lot shown on the site plan has been vacated.

Easy Street:

The subject property is bounded by Easy Street on the west. Easy Street is classified as a Lane/Place Street. Easy Street meets the minimum criteria of a minimum 45 feet right-of-way, and a minimum of 20 feet of pavement. However, Easy Street does not have curb, gutter, sidewalk or street light conduit. The applicant is required to construct curb, gutter, sidewalk and street light conduit, or obtain a Variance to the Subdivision Regulations.

Water and Sewer:

Currently water and sewer mains exist along Corral Drive. Approximately 40 feet of sewer main exists along Easy Street. There is no water main along Easy Street. The applicant is required to construct sewer the remainder of the portion of Easy Street that abuts the property line of proposed 24B, and construct a water main along proposed Lot 24B where the property abuts Easy Street. Water and Sewer plans prepared by a Registered Professional Engineer demonstrating adequate water flows for domestic and fire flows, and showing the extension of water and sewer mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained.

Currently the single family residence that will be located on proposed Lot 24A is provided water and sewer by service lines. As noted above the applicant's submitted site plan identifies a small, irregular shaped lot that lies parallel to the proposed Lot 24A and Corral Drive. The applicant is

STAFF REPORT  
April 5, 2007

---

**No. 07PL043 - Layout Plat**

**ITEM 13**

---

required to verify if this small, irregular shaped lot has been dedicated as right-of-way. Upon submittal of a Preliminary Plat application the applicant shall provide documentation identifying the required legal easements for the water and sewer service lines if the small, irregular lot has not been vacated.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a Warranty Surety be submitted for review and approval as required.

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