

STAFF REPORT  
January 8, 2015

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**No. 14PL082 - Preliminary Subdivision Plan**

**ITEM 6**

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GENERAL INFORMATION:

APPLICANT	Franklin O. Simpson
AGENT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Franklin O Simpson
REQUEST	<b>No. 14PL082 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	That portion of the SW1/4 of the NW1/4 of the SW1/4 lying south of Harmony Heights Lane, less Tract B of Fountain View Subdivision, located in Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Tracts C and D of Fountain View Subdivision
PARCEL ACREAGE	Approximately 6.79 acres
LOCATION	1901 Harmony Heights Lane
EXISTING ZONING	Medium Density Residential District -Medium Density Residential District (Planned Development Designation) - Medium Density Residential District (Planned Development) - General Agricultural District
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development)
South:	Medium Density Residential District (Planned Development)
East:	Medium Density Residential District (Planned Development)
West:	Medium Density Residential District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	November 21, 2014
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

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RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulation:

1. Upon submittal of a Development Engineering Plan application, construction plans showing sidewalk along Harmony Heights Lane shall be submitted for review and approval or a Variance shall be obtained from City Council waiving the requirement; and,
2. Prior to submittal of a Final Plat application, the applicant shall demonstrate that the driveway located on Tract C is located entirely within the boundaries of Tract C or an access easement shall be secured on the adjacent property for that portion of the driveway located outside the boundaries of Tract C. In addition, the plat document shall be revised to show the access easement.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to create two lots to be known as Tracts C and D of Fountain View Subdivision. The lots are sized 3.29 acres and 2.36 acres, respectively.

The property is located south of the intersection of Sunny Spring Drive and Harmony Heights Lane. Currently, a single family residence is located on proposed Tract C. Proposed Tract D is void of any structural development.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the installation of public improvements. Approval of a Preliminary Subdivision Plan by the City Council is required before an applicant can proceed with Development Engineering Plans and a Final Plat application for all or part of the area within the Preliminary Subdivision Plan application.

STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Zoning: The western portion of Tract C is zoned Medium Density Residential District with the balance of the tract zoned General Agriculture District. The western portion of Tract D is zoned Medium Density Residential District with a Planned Development Designation. The balance of Tract D is zoned Medium Density Residential District. The applicant should be aware that all development on the property must comply with the underlying zoning designation(s). In addition, an Initial and/or Final Planned Development must be submitted for review and approval prior to the issuance of a building permit for that portion of the property located within the Planned Development Designation.

Harmony Heights Lane: Harmony Heights Lane is located along the north lot line of the property and is classified as a local street requiring that it be located within a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Harmony Heights Lane has been constructed in compliance with the design standards for a local street with the exception of sidewalk. Upon submittal of a Development Engineering Plan application, construction plans showing sidewalk along Harmony Heights Lane must be submitted for review and approval or a Variance must be obtained from City Council waiving the requirement. Please

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note that if the applicant chooses to provide construction plans showing the installation of sidewalk, only the handicap ramp(s) are required to be constructed as a part of the subdivision improvements. The balance of the sidewalk will be constructed at the time a building permit is requested for the adjacent property(s).

Anamosa Street: The Major Street Plan identifies the future extension of Anamosa Street, a proposed principal arterial street, along the south lot line. A principal arterial street must be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and parallel water mains. The proposed plat identifies the dedication of a 75 foot wide right-of-way along the south lot line. Based on the alignment of the street, the additional 25 feet of right-of-way will be obtained from the adjacent property when it is platted. The applicant has submitted and the City has approved an Exception to waive constructing the street improvements with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements.

52 foot wide Public Access and Utility Easement: The plat document identifies a public access and utility easement serving as access to the residence located on proposed Tract C. Please note that the applicant has requested and the City has approved an Exception request to waive improvements along the access easement. However, it appears that a portion of the driveway is located outside of the easement on an adjacent property. As such, prior to submittal of a Final Plat application, the applicant must demonstrate that the driveway is located entirely within the boundaries of Tract C or an access easement must be secured on the adjacent property for that portion of the driveway located outside the boundaries of Tract C. In addition, the plat document must be revised to show the access easement.

Platting Process: If the Exception to waive the requirement to install sidewalk is obtained, then a Development Engineering Plan application is not necessary since subdivision improvements would not be required. Subsequently, the applicant can proceed with the submittal of a Final Plat application. However, the \$250.00 application fee plus \$20.00 per lot that is collected at the time of submittal of a Development Engineering Plan application must be paid as a part of the Final Plat submittal.

Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations.