

STAFF REPORT

January 25, 2001

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**PLAT #00PL136 - Final Plat**

**ITEM 28**

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GENERAL INFORMATION:

PETITIONER	Doug Sperlich for Suzanne Gabrielson
REQUEST	<b>PLAT #00PL136 - Final Plat</b>
LEGAL DESCRIPTION	Lots 1 and 2 of Tract L of Gray's Subdivision (formerly Tract L of Gray's Subdivision) located in the N1/2 of the NW1/4 of Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.79 Acres
LOCATION	At the western terminus of City Springs Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (County)
East:	Low Density Residential District
West:	General Agriculture District
PUBLIC UTILITIES	City Water
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Final Plat be continued to the February 22, 2001 Planning Commission meeting to allow time for the applicant to submit additional information.

GENERAL COMMENTS: The applicant is proposing to split a 39.79 acre lot into two lots with both being 19.895 acres in size. The property is located west of City Spring Park. The two (2) lots will access a road that will be built in the adjacent section line right of way. The section line right of way intersects with the terminus of City Spring Road. City water has been extended to serve the properties and waste-water disposal will be by means of an on-site waste water system.

In 1994, the City approved a Layout and Preliminary Plat for the subject property with the following stipulations:

1. Street construction plans be reviewed and approved;
2. Water utility plans be reviewed and approved; and,
3. Drainage plans be reviewed and approved.

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The applicant has changed the original plat slightly from the approved Preliminary Plat. In 1994, the applicant proposed the development of two lots that were 22.67 acres and 16.768 acres in size. The current plat splits the property equally in half.

STAFF REVIEW: Staff has reviewed the Final Plat and has noted the following considerations:

Lot Size - In 1998, the City change the requirements for lot sizes in the General Agricultural District. For a dwelling unit, a minimum of twenty acres of lot area is required. The applicant has proposed two lots just under the twenty-acre minimum size. The applicant has two options available to them to resolve the lot size issue. First, the applicant can submit a lot size variance. The variance would be a zoning variance and would be heard by the Rapid City Zoning Board of Appeals. Staff could support the lot size variance because the minimal adjustment necessary is being requested. The second option available to the applicant is to rezone the subject property to Park Forest. The Park Forest Zoning District allows for three acre lot size. Staff would only support the rezoning request with a Planned Residential Development overlay due the terrain and waster water concerns in this area. This issue needs to be resolved prior to the City can approve the plat.

Subdivision Variances - In the 1994 Preliminary Plat review, a number of issues were not addressed. The issues are in regard to the development of the section line right of way and the development of the private access easement. The applicant will be developing the section line right of way from the intersection of City Spring Road to a point approximately 800 feet to the west. That would leave approximately 900 feet of section line right-of-way as undeveloped. The applicant would either need to ask for a Subdivision Variance to waive the construction of the remaining portion of the section line right of way or vacate the section line. Based on the topographic information provided, any east/west road along the section line would be unlikely; however it may veer to the north to provided access to the undeveloped property to the north. Staff could support a Subdivision Variance waiving the improvements of the remaining portion of the section line including dry sewer and road improvements.

The applicant has identified a forty foot wide access and utility easement that follows the common lot line. In the Preliminary Plat review, this easement was not identified as needing improvements. However, the Street Design Criteria Manual does require this easement to be constructed to City Standards. The easement provides a drive way to the residence constructed on Lot 1. The applicant would either need to eliminate the easement or request a Subdivision Variance to waive the improvement requirements including dry sewer and road improvements.

Access - Currently, the 127 dwelling units in the Mountain Springs Planned Residential Development and the one dwelling unit located on the access City Springs Road without a second street access. The City recently approved an additional eight units in the Mountain Springs Planned Residential Development because the proposed amendment would result in no increase in the number of dwelling units beyond the number approved as part of the original Planned Residential Development. As with that request, a Preliminary Plat has been approved

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for two lots for the subject property. The City has recently formalized the requirement for a second access for a development with more than 40 dwelling units. However, there was an exception in that amendment that allowed developments that had been previously approved with a density of greater than 40 dwellings to be completed without a second access. Since this development was previously approved, Staff supports approval of the Final Plat without requiring a second access. However; no other development may occur without a required second access.

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Engineering Division Recommendations:

1.

Fire Department Recommendations:

1.

Traffic Engineering Division Recommendations:

1.

Transportation Planning Division Recommendations:

1.

Urban Planning Division Recommendations:

1.