

STAFF REPORT

October 5, 2000

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**PLAT #00PL082 - Preliminary and Final Plat**

**ITEM 10**

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GENERAL INFORMATION:

PETITIONER	Renner and Sperlich for Olde Glory Marketing
REQUEST	<b>PLAT #00PL082 - Preliminary and Final Plat</b>
LEGAL DESCRIPTION	Lots 13 and 14 of Canyon Shadows Subdivision (formerly the unplatted balance of the NW1/4 of the NE1/4 of Section 8, T1S, R7E, BHM) located in the NW1/4 of the NE1/4, Section 8, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.369 Acres
LOCATION	At the intersection of 47th Avenue West and Bears Loose Road
EXISTING ZONING	Low Density Residential District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Low Density Residential District (County)
East:	Low Density Residential District (County)
West:	Low Density Residential District (County)
PUBLIC UTILITIES	Shared Well or Central Water (proposed) Septic Tank and Drainfields (proposed)
REPORT BY	Bill Lass

RECOMMENDATION: **Staff recommends that the Preliminary and Final Plat be continued to the October 26, 2000 Planning Commission meeting in order to allow the petitioner to submit all required information.**

GENERAL COMMENTS: **This Staff Report has been revised as of September 29, 2000. New or revised text is shown in bold print.** This Preliminary and Final Plat proposes to split an existing 8.3 acre parcel of land into two new lots – Lot 13 and Lot 14. Lot 13 will be 3.64 acres in size and is the location of a house foundation although the house was never completed. There currently are no structures located on Lot 14. The subject property is located at the intersection of 47<sup>th</sup> Avenue West and Bears Loose Road. Bears Loose Road flanks the southern and eastern margins of the property while 47<sup>th</sup> Avenue West borders the western side of the property. Both roadways have a gravel surface where they abut the subject property. There is an unimproved section line highway flanking the northern boundary of the subject property. The northern portion of the subject property is located within Rapid

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City's three-mile platting area while most of the property is located outside of this area. The subject property is zoned Low Density Residential by Pennington County.

A Layout Plat for this plat was approved by the City Council on July 24, 2000. That approval carried numerous stipulations – some of which have not yet been met. **Because of this, the Planning Commission continued action on this request to the October 5, 2000 Planning Commission meeting. Furthermore, the City Council on September 18, 2000 denied a Subdivision Variance request submitted by the petitioner requesting a waiver of the paving requirement. As of this writing, the required street improvement plans have not been submitted for review.**

STAFF REVIEW: The stipulations of the Layout Plat approval and the current status of compliance are as follows:

Engineering Division Recommendations:

1. *Upon submittal of the Preliminary Plat, the petitioner shall provide detailed topographic information overlaid on the proposed lot lines. (This information has been submitted and approved by the Engineering Division).*
2. *Upon submittal of the Preliminary Plat, the petitioner shall submit a drainage plan for review and approval. The drainage plan must maintain runoff to predeveloped conditions. (This information has not yet been submitted).*
3. *Prior to City Council approval of the Preliminary Plat, drainage easements shall be provided subject to review and approval. (This information has been submitted).*
4. *Upon submittal of the Preliminary Plat, the petitioner shall submit information on the proposed water supply for the subject property. (Some of this information has been submitted).*
5. *Upon submittal of the Preliminary Plat, the petitioner shall provide an engineering evaluation of the sites demonstrating the suitability of on-site wastewater disposal systems. (This information has not yet been submitted).*
6. *Upon submittal of the Preliminary Plat, the petitioner shall submit all required engineering plans designed by a professional engineer and meeting all requirements of the Subdivision Regulations and the Street Design Criteria Manual for all subdivision improvements including, but not limited to, street surfacing, sidewalks, curb and gutter, dry sewer, and street lighting conduit for those portions of the plat located within Rapid City's three-mile platting area. These requirements shall be waived if the petitioner applies for and receives a subdivision variance request. (As noted the paving portion of this variance was denied, therefore, the petitioner needs to submit the required*

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**road improvement plans for those portions of the plat located within Rapid City's three-mile platting area).**

7. *Prior to City Council approval of the Final Plat, the petitioner shall have submitted a subdivision improvements estimate form for review and approval, shall have paid all required subdivision inspection fees, and shall have either completed or posted financial surety for all required subdivision improvements. (Staff will ensure that this information is submitted prior to City Council consideration of the Final Plat).*
8. *Upon submittal of the Preliminary Plat, the plat shall be revised to identify the correct spelling of "47<sup>th</sup> Avenue West". (This change has been made).*

Fire Department Recommendations:

9. *Prior to City Council approval of the Final Plat, the petitioner shall submit a wild land hazard fire mitigation plan for review and approval. (Staff will ensure that the petitioner has completed this plan prior to Final Plat approval).*

Urban Planning Division Recommendations:

10. *Prior to City Council approval of the Preliminary Plat, the petitioner shall remove the private road sign located on 47<sup>th</sup> Avenue West or shall submit documentation demonstrating that the roadway is a private roadway. If the roadway is a private roadway, then the plat must be revised to indicate the roadway is private and who has the right to utilize the roadway. (Staff will ensure that this sign is removed as the applicant has not submitted information demonstrating that this roadway is indeed private).*
11. *Prior to City Council approval of the Preliminary Plat, the petitioner shall document that the existing adjacent gravel roadways meet the minimum gravel roadway standards of Pennington County. If the roadways do not meet this standard then the petitioner shall submit plans for the improvement of the roadways to this minimum gravel standard irregardless of any Subdivision Variances granted for paving or other urban-level street improvements. **(As noted, the paving variance was denied thereby necessitating the improvement of the roadways to City Standards).***
12. *Upon submittal of the Preliminary Plat, the petitioner shall submit a site plan identifying the location of all structures on the property in relation to the proposed lot lines. (This site plan has not been submitted).*
13. *Upon submittal of the Preliminary Plat, the plat must be revised to reflect the vacation of all section line highway or the petitioner shall submit plans calling for the improvement of the section line highway to City street standards. **(As noted, the paving variance was denied by the City Council. Therefore, the petitioner must submit the required road improvement plan for the section line highway. An alternative to improving the section line would be for the petitioner to pursue relocation of the section line highway through Pennington County).***

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14. *Prior to the City filing the Final Plat with the Pennington County Register of Deeds, the petitioner shall receive approval of the plat from Pennington County as the subject property is located partially within Rapid City's three-mile platting jurisdiction and partially within Pennington County. (This plat is currently being processed through Pennington County).*

15. *Prior to City Council approval of the Final Plat, the petitioner shall have submitted documentation showing the legal entity responsible for roadway maintenance. (Staff will ensure that this information is submitted prior to Final Plat approval).*

Due to the number and nature of outstanding issues related to this plat, Staff is recommending that it be continued to allow the petitioner to address all issues and provide the required information. **Furthermore, the petitioner has indicated that they may request that this plat be denied without prejudice at some point but as of this writing they have not yet made this request.**