

STAFF REPORT

September 20, 2001

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**No. 01PL094 - Layout Plat**

**ITEM 10**

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GENERAL INFORMATION:

PETITIONER	D.C. Scott Co. for Jerry Burrow
REQUEST	<b>No. 01PL094 - Layout Plat</b>
LEGAL DESCRIPTION	Lot 16 of Twilight Hill Subdivision, Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .5 acre
LOCATION	5252 Ross Court
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
REPORT BY	Lisa Seaman

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

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat approval, the applicant shall submit for review and approval topographic information, a grading plan and a drainage plan;
2. Prior to Preliminary Plat approval, the plat shall be revised to include the dedication of 17 feet of right of way along Reservoir Road;
3. Prior to Preliminary Plat approval, the plat shall be revised to dedicate non-access easements as required by the Engineering Division;
4. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval or a subdivision variance must be obtained waiving the necessary improvements;

Pennington County Planning Department Recommendations:

5. Prior to City Council approval of the Final Plat, the applicant shall apply for and receive a Building Permit for the single family residence;
6. Prior to City Council approval of the Final Plat, the applicant must obtain an approach permit;

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Urban Planning Division Recommendations:

7. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
8. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

GENERAL COMMENTS: The applicant has submitted a Layout Plat to subdivide a .5 acre tract into two lots. The property is located at the northwest corner of the intersection of Ross Court and Reservoir Road. Currently, a single family dwelling is located on proposed Lot B and a recently constructed garage is located on proposed Lot A. The applicant is subdividing this lot in order to construct a residence on Lot A.

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 applicant 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 at the Layout Plat 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 major concerns:

**Building Permit:** The Pennington County Planning Staff has noted that the applicant has constructed a garage and the foundation for a single family residence on proposed Lot A. Pennington County Ordinance allows only one principal use on a residential lot. Therefore, in order for the applicant to complete construction of the single family residence a separate lot must be platted. In addition, the applicant must obtain a Building Permit prior to construction of the single family dwelling.

**Right of Way:** Reservoir Road is classified as a principal arterial road on the City of Rapid City's adopted Major Street Plan. The total right of way width for a principal arterial road is 100 feet requiring that the applicant dedicate an additional 17 feet of right of way as part of this plat. The 17 feet of additional right of way will provide the minimum 50 foot right of way required for the west one-half of Reservoir Road. The existing single family dwelling and garage are located approximately 25 feet from Reservoir Road as required by Pennington County Zoning Ordinance. The dedication of the additional right of way will reduce the front yard setback for both of these structures to approximately eight feet creating two nonconforming structures. The Pennington County Planning Department has noted that prior to Preliminary Plat approval the applicant must obtain variances from the Pennington County Zoning Board of Adjustment to allow for these reduced front yard setbacks. Staff would recommend that the applicant seek approval of these variances prior to investing significant resources into the development of the required plans and information to insure

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that the proposed project is viable.

**Drainage:** The Pennington County Highway Department and Rapid City Engineering Division Staff have both indicated that topographic information, a grading plan and drainage plan must be submitted to illustrate how drainage will be handled to insure that neighboring properties will not be impacted by this additional development. In addition, the location and size of necessary easements will be determined based on the submitted drainage information. Therefore, staff is recommending denial of the request to waive the requirement for topographic mapping of the subject property and requiring that topographic information, a grading plan and drainage plan be submitted prior to Preliminary Plat approval.

**Access:** The newly constructed garage on proposed Lot A is accessed from Reservoir Road via a driveway that was not authorized by the Pennington County Highway Department. Staff has noted that prior to Final Plat approval the applicant must obtain an approach permit. In addition, Staff has noted that the spacing between the driveway currently being utilized to access the garage on proposed Lot A and the driveway for the property to the north does not meet the minimum spacing requirements as indicated in the Street Design Criteria Manual. Therefore, staff is recommending that prior to Preliminary Plat approval non-access easements be designated along the west lot line of Lot B, the east 50 feet of the south lot line of Lot B and the west lot line of Lot A with the exception of one 20 foot access location to insure that the minimum driveway spacing requirement will be met.

**Subdivision improvements:** Upon Preliminary Plat submittal, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code must be submitted for review and approval. These plans must include construction plans in compliance with City Standards and the Street Design Criteria Manual for all subdivision improvements or the applicant must obtain a variance for the required improvements.

Staff would note that several of these requests may be difficult to meet. Staff would encourage the applicant to fully consider the implications of these requirements to determine if it is appropriate for him to continue through the platting process. Staff would be willing to meet with the applicant as appropriate to insure that he has a full understanding of the requirements.