

STAFF REPORT

April 25, 2002

No. 02PL009 - Preliminary and Final Plat

ITEM 5

GENERAL INFORMATION:

PETITIONER	Polenz Land Surveying for Chuck Farrar
REQUEST	No. 02PL009 - Preliminary and Final Plat
EXISTING LEGAL DESCRIPTION	Lot 16P and Lot 17P of Block 2 of Chapel Lane Village located in the NE/14 of NE/14 of Section 17 and the SE1/4 of SE1/4 of Section 8 and the vacated portion of Lakeview Subdivision No. 2 of the SE1/4 of SE1/4 of Section 8, all in T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 16P Revised and Lot 17P revised in Block 2 of Chapel Lane Village Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .35 acres
LOCATION	3210 Kirkwood Drive
EXISTING ZONING	Low Density Residential District w/Planned Residential Development
SURROUNDING ZONING	
North:	Park Forest District w/Planned Residential Development
South:	Low Density Residential District w/Planned Residential Development
East:	Park Forest District w/Planned Residential Development
West:	Low Density Residential District w/Planned Residential Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	01/25/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Preliminary and Final Plat be approved with the following stipulations:

Urban Planning Division Recommendations:

1. **Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision**

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- inspection fees shall be paid; and,
- Prior to Final Plat approval by the City Council, the petitioner shall either complete the required subdivision improvements, post financial surety in the amount necessary to cover the cost of the required subdivision improvements or obtain a Subdivision Variance waiving the required subdivision improvements .**

GENERAL COMMENTS: **This item was continued from the March 21, 2002 Planning Commission meeting. (Updates to the staff report are shown in bold.)** This Preliminary and Final Plat request has been submitted to revise the common lot line between existing Lot 16P and Lot 17P of Chapel Lane Village Subdivision. The plat proposes to reconfigure the existing lot lines by moving the east property line of Lot 16P south so that a triangular piece of Lot 17P will be replatted into Lot 16P. The owner of Lot 16P has utilized the triangular area to the east of his residence as a side yard, and until recently believed that the triangular area was a part of his lot.

Lots 16P and 17P of Chapel Lane Village were platted and building permits issued for the existing residences by Pennington County. On April 4, 1978 the City of Rapid City annexed the Chapel Lane Village and Chapel Valley Subdivision.

STAFF REVIEW: Staff has reviewed the proposed plat and noted the following considerations:

Site Plan: The site plan submitted with the Preliminary and Final Plat request included the property boundaries and existing building locations. The Engineering Division Staff has noted that existing utilities may currently be located within the existing side yard minor drainage and utility easements between Lots 16P and 17P. Therefore, staff is requesting that the site plan be revised to identify the location of all utilities, both private and public, on or adjacent to Lots 16P and 17P to determine if easements need to be retained for any existing utilities. In addition, the site plan should include all public improvements (i.e. existing street) adjacent to the property. **The applicant has submitted the requested site plan identifying the location of utilities on the property. The site plan shows that utilities are located within the existing side yard utility easement. The applicant has revised the plat to reflect that the existing utility and minor drainage easement along the old lot line will be retained.**

Lot Size: The Rapid City Municipal Code requires a minimum lot size of 6,500 square feet for a lot located within the Low Density Residential Zoning District. The plat submitted with this request identifies that Lot 17P Revised will be 6,133 square feet while Lot 16P Revised will have 8,882 square feet. Staff is recommending that the plat be revised to increase the size of Lot 17P Revised to a minimum of 6,500 square feet. The applicant has revised the plat to comply with this zoning requirement.

Plat Title: The Register of Deeds has noted that the original plat of the subject property identified the subdivision name as "Chapel Lane Village" rather than "Chapel Lane Village Subdivision" as shown on the proposed plat. The Register of Deeds has requested that the word subdivision be removed from the title of the proposed plat so that the new plat accurately reflects the original subdivision name.

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Road Improvements: The platting of this property triggers the requirement to improve that portion of Kirkwood Drive that abuts the subject property. According to the City's Street Design Criteria Manual, this would necessitate the installation of curb and gutter, sidewalks and street lights on Kirkwood Drive. The petitioner has applied for a Subdivision Variance request to waive all such improvements (see related Subdivision Variance request #02SV007). City Staff is supportive of waiving all road improvement requirements because the proposed plat does not increase the density of the subdivision. This is consistent with the practice of the Planning Commission and City Council. **The Planning Commission approved the requested Subdivision Variance. To date, the applicant has not signed the required Waiver of Right to Protest; therefore, the City Council has not taken action on the requested Subdivision Variance.**