

STAFF REPORT
April 26, 2007

No. 07PL056 - Preliminary Plat

ITEM 10

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for O'Brien Construction
REQUEST	No. 07PL056 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 9 and 10 in Block 10 of Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 9A, 9B, 10A and 10B, Block 10, Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .57 acres
LOCATION	South of Heidiway Lane between Carmel Point and Sheridan Lake Road
EXISTING ZONING	Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Medium Density Residential District (Planned Residential Development)
East:	Medium Density Residential District (Planned Residential Development)
West:	Medium Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/30/2007
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, construction plans shall be submitted for review and approval showing a sidewalk along both sides of Carmel Point or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, the applicant shall demonstrate

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- that the existing water and sewer service lines to serve the proposed lot(s) are located and designed in compliance with the City of Rapid City Standard Specifications or the existing service lines shall be abandoned and new service lines extended accordingly;
3. Prior to Preliminary Plat approval by the City Council, written documentation from all of the affected utility companies shall be submitted for review and approval indicating concurrence with the vacation of the eight foot wide utility and drainage easement along the common lot line between Lot 9 and Lot 10 or a utility easement shall be retained;
 4. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 5. Prior to submittal of a Final Plat application, the plat certificates shall be revised to show the plat as a "Final Plat" in lieu of a "Minor Plat".
 6. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
 7. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide two lots into four townhome lots. The applicant has also submitted a Preliminary Plat (File #07PL055) to subdivide one lot located directly north of the subject property into two townhome lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #07SV021) to waive the requirement to install a sidewalk along both sides of Carmel Point. The applicant has also submitted a Major Amendment to the Planned Residential Development (File #07PD027) to reduce two front yard setback(s) from 18 feet to 16.44 feet and 17.67 feet, respectively, and to reduce a side yard setback from eight feet to 7.69 feet.

On May 27, 2004, the Planning Commission approved a Major Amendment to a Planned Residential Development (File #04PD018) to allow for the development of 32 residential townhome units in lieu of garden cottages as originally approved in the Fairway Hills Planned Residential Development. The subject property is a part of the approved townhome development. In addition, on July 6, 2004, the City Council approved a Preliminary Plat (File #04PL023) to subdivide the property into 16 lots and on September 16, 2004, a Final Plat (File #04PL128) was approved creating the 16 lots. The applicant indicated that the 16 lots would be divided at the time of construction, and, as such, is submitting this Preliminary Plat for consideration.

The property is located approximately 100 feet south of the intersection of Heidiway Lane and Carmel Point on the west side of Carmel Point. Currently, a foundation for a townhome unit is located on each of the proposed lot(s).

STAFF REVIEW:

Staff has reviewed the Preliminary Plat and has noted the following considerations:

Carmel Point: Carmel Point is located along the east lot line of the subject property and is classified as a lane place street. During the previous review and approval of the associated Major Amendment to the Fairway Hills Planned Residential Development, the requirement to construct a sidewalk along the west side of Carmel Point was waived. However, platting the

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property as proposed requires that a sidewalk be constructed along both sides of the street. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans be submitted for review and approval showing a sidewalk along both sides of Carmel Point or a Variance to the Subdivision Regulations must be obtained.

Easement: The applicant has indicated that the common lot line between Lots 9 and 10 is being relocated approximately 1.5 feet south of its current location to coordinate with the common wall of the townhome units. A note on the plat identifies that the previously dedicated eight foot wide minor drainage and utility easement located along the existing common lot line will be vacated as a part of the plat. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, written documentation from all of the affected utility companies be submitted for review and approval indicating concurrence with the vacation of the eight foot wide utility and drainage easement or a utility easement must be retained.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.