

STAFF REPORT
February 8, 2007

No. 06PL133 - Preliminary Plat

ITEM 3

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Doeck, LLC
REQUEST	No. 06PL133 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of the NE1/4 SE1/4, Section 13, located in the NE1/4 SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 15 thru 23, Block 1; Lots 1 thru 16, Block 3; Lots 1 thru 19, Block 4; Lots 1 thru 6, Block 5; Lot 1, Block 7; and drainage Lot 1, Brookfield Subdivision, formerly a portion of the NE1/4 SE1/4, Section 13, located in the NE1/4 SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 13.758 acres
LOCATION	At the northern terminus of Three Rivers Drive
EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District (Planned Development Designation)
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/11/2006
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends that the Preliminary Plat be approved with stipulations:

1. Prior to Preliminary Plat approval by the City Council, all necessary construction easements shall be recorded at the Register of Deed's Office as needed;
2. Prior to City Council approval of the Preliminary Plat, the plat document shall be revised to show Lot 1 as a drainage easement in lieu of a drainage lot or the applicant shall obtain authorization from the City Council to create a drainage lot. In addition, the applicant shall submit documentation identifying maintenance of the drainage easement;
3. Prior to City Council approval, the applicant shall obtain authorization from the City

STAFF REPORT
February 8, 2007

No. 06PL133 - Preliminary Plat

ITEM 3

- Council to create and accept ownership of a detention lot located on an adjacent property or a drainage and detention easement shall be recorded at Register of Deed's Office. In addition, documentation identifying maintenance of the drainage easement shall be submitted for review and approval;
4. Prior to Preliminary Plat approval by the City Council, road construction plans for the north-south section line highway shall be submitted for review and approval. In particular, the road construction plans shall show the streets constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated;
 5. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 6. Prior to any disturbance of soil within the 100 year federally designated floodplain, a Floodplain Development Permit shall be obtained as needed. In addition, a 404 Permit shall be obtained from the Corp of Engineers as needed;
 7. 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,
 8. 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 create 52 residential lots as Phase Two of Brookfield Subdivision. On October 5, 2006, the Planning Commission recommended approval of the Preliminary Plat with stipulations. However, on January 15, 2007 the applicant submitted a revised plat document identifying a street connection to the north lot line. Subsequently, on January 15, 2007, the City Council sent the Preliminary Plat back to the Planning Commission for review at the applicant's request.

On July 19, 2004, the City Council approved a Layout Plat for Brookfield Subdivision to create 150 residential lots which included the subject property. On November 7, 2005, the City Council approved a Preliminary Plat to create 56 residential lots as Phase One of Brookfield Subdivision. In addition, the City Council denied an Exception request to waive the requirement to provide visitor parking within Phase One. Subsequently, a Variance to the Subdivision Regulations was approved by the City Council to reduce the pavement width along Three Forks Drive from 27 feet to 24 feet.

On November 23, 2005, the City approved a Final Plat to create 17 lots within Phase One of Brookfield Subdivision. On July 24, 2006, the City approved a Final Plat to create 38 lots, also within Phase One of Brookfield Subdivision.

On November 9, 2005, the applicant submitted a Vacation of Section Line Highway request to vacate the section line highway located along the east lot line of the subject property. This item has been continued several times to allow the applicant to provide an alternate street access to the property located north of the subject property. (See companion item 05VR014.)

On January 26, 2007, the applicant submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and

STAFF REPORT
February 8, 2007

No. 06PL133 - Preliminary Plat

ITEM 3

pavement along the section line highway. (See companion item 07SV001.)

The subject property is located north and west of the intersection of Cobalt Drive and W. Nike Road. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Drainage Lot: The Preliminary Plat identifies a "Drainage Lot 1" located in the southeast corner of the subject property. However, staff is recommending that prior to City Council approval of the Preliminary Plat, the plat document be revised to show Lot 1 as a drainage easement in lieu of a drainage lot or the applicant must obtain authorization from the City Council to create a drainage lot. In addition, the applicant must submit documentation identifying maintenance of the drainage easement.

Drainage Outlet: The construction plans show a drainage outlet extending onto an adjacent property located directly east of the subject property. In addition, the construction plans show the outlet located within a drainage easement. To date, a copy of the recorded easement and/or maintenance of the easement have not been submitted for review and approval. On January 26, 2007, the applicant submitted a request that the City Council authorize the creation and accept ownership of a detention lot for this drainage outlet located on the adjacent property. Staff is recommending that prior to City Council approval, the applicant shall obtain authorization from the City Council to create and accept ownership of the detention lot or a drainage and detention easement must be recorded at the Register of Deed's Office. If the area is identified as a drainage and detention easement in lieu of a detention lot, then documentation identifying maintenance of the drainage and detention easement must be submitted for review and approval.

Floodplain: The southeastern portion of the subject property is located in a 100 year federally designated floodplain. The applicant has indicated that a Letter of Map Revision has been submitted to the Federal Emergency Management Agency for review and approval. Prior to any disturbance of soil within the 100 year federally designated floodplain, a Floodplain Development Permit must be obtained as needed. In addition, a 404 Permit must be obtained from the Corp of Engineers as needed.

Section Line Highway: A section line highway is located along the east lot line of the subject property. As noted above, the applicant has submitted a Vacation of Section Line Highway request. Staff is recommending that prior to Preliminary Plat approval by the City Council, the section line highway be vacated or the section line highway must be improved with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained or surety must be submitted for the design and construction of the street. Since the section line highway currently serves as the only legal access to an adjacent property, the applicant may choose to post surety for the design and construction of the section line highway in order to Final Plat the subject property which will then provide an alternate street access to the adjacent property.

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

STAFF REPORT
February 8, 2007

No. 06PL133 - Preliminary Plat

ITEM 3

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.

Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.