

STAFF REPORT
August 23, 2007

No. 07PL100 - Preliminary Plat

ITEM 9

GENERAL INFORMATION:

APPLICANT	Schriner Investments, LLC
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Schriner Investments, LLC
REQUEST	No. 07PL100 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The NE1/4 of the NE1/4 and the SE1/4 of the NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 6 of Block 1, Lots 1 thru 5 of Block 2 and Lot 1 of Block 3 of Medicine Ridge Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12 acres
LOCATION	At the western terminus of Stumer Road and north of Enchantment Road
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District
East:	Low Density Residential District
West:	General Agriculture District
PUBLIC UTILITIES	Public
DATE OF APPLICATION	7/27/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Preliminary Plat be continued to the September 6, 2007 Planning Commission meeting to be heard in conjunction with the associated Variance to the Subdivision Regulations request.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat application to subdivide a twelve acre parcel into

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twelve lots ranging in size from .275 acres to 1.43 acres. A Planned Development Designation (#06PD076) on the property was approved on September 28, 2006. An associated Layout Plat (#06PL126) of the property was approved by City Council on September 5, 2006. A Variance to the Subdivision Regulations (#06SV046) to allow a lot twice as long as it is wide was approved by City Council on September 5, 2006. A Variance to the Subdivision Regulations (#07SV008) to waive the requirement to install curb, gutter, water, sewer, and sidewalk with the stipulation that sidewalk be provided on one side, was approved by City Council on May 7, 2007. A Vacation of Easement (#07VE002) request to vacate a 66 foot wide access and utility easement was submitted on January 25, 2007 has yet to be approved by Public Works Committee. A Variance to the Subdivision Regulations (#07SV047) to waive the requirement to install curb, gutter, water, sewer, sidewalk and street light conduit along the section line highway was submitted on August 6, 2007 and is scheduled for public hearing before the Planning Commission on September 6, 2007.

The property is located at the western terminus of Stumer Road and north of Enchantment Road. The property is currently void of any structural development. Current zoning of the property is Low Density Residential. Land located north and west of the property is zoned General Agricultural District. Land located south and east of the property is zoned Low Density Residential District.

STAFF REVIEW:

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

PLAT DOCUMENT:

The plat document currently identifies a "previously vacated 66 foot access and utility easement". A Vacation of Easement (#07VE002) to vacate this 66 foot access and utility easement has been submitted; however approval of this request has not been granted by City Council. Staff has noted that if the 66 foot access and utility easement were vacated that it would leave the property without a legal means for access and utilities, therefore staff recommends that City Council approve the vacation request in conjunction with Final Plat approval. Prior to Planning Commission approval the applicant shall revise the plat document to omit this plat note that identifies the 66 foot access and utility easement.

Staff has also noted that a nonaccess easement is to be provided for Lot 1 Block 3 and Lot 1 Block 2 per requirements in the Street Design Criteria Manual. The plat document shall be revised to identify these non-access easements prior to the submittal of a Final Plat. In addition all redline comments shall be addressed prior to submittal of a Final Plat.

The heading of the plat document states "(formerly a portion of the NE ¼)". The Pennington County Register of Deed's office has indicated that the heading should read "(formerly a portion of the NE ¼ of the NE ¼ and the SE1/4 of the NE ¼)". Prior to Planning Commission approval the applicant shall revise the plat document accordingly.

PRIVATE UTILITIES:

The utility plan submitted by the applicant does not identify private utilities. Because of steep terrain on the southern boundary, and length of lots in Block 1 there are concerns with the feasibility of installing the private utilities to the proposed lots. Prior to Planning Commission approval the applicant shall submit for review and approval a revised utility plan identifying the

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location, and any additional easements if needed for the private utilities as required by Section 16.12.200 of the Rapid City Municipal Code.

SECTION LINE HIGHWAY

Currently a section line highway abuts the property on the eastern boundary. Staff has noted that 660 feet of the section line highway that abuts the eastern boundary was vacated on October 16, 2006 (#06VR008). The remaining 250 feet of section line highway that abuts the property has not been vacated. The section line highway is classified by the Street Design Criteria Manual as a Lane/Place Street, which requires a minimum 49 feet of right-of-way. Prior to approval by Planning Commission the applicant shall revise the plat document to identify 49 feet of right-of-way, and submit construction plans identifying curb, gutter, water, sewer, sidewalk, street light conduit, and 26 feet of pavement, or obtain a Variance to the Subdivision Regulations or vacate the remaining section line highway. As noted the applicant submitted a Variance to the Subdivision Regulations (#07SV047) to waive the requirement to install curb, gutter, water, sewer, sidewalk and street light conduit along the section line highway on August 6, 2007. This Variance to the Subdivision Regulations request is scheduled for public hearing before the Planning Commission on September 6, 2007.

STREET SYSTEM:

Enchantment Pines Drive is located in a proposed 52 foot right-of-way and Watson Lane is located in a proposed 49 foot right-of-way. Staff has noted that a Variance to the Subdivision Regulations to waive the required improvements except for sidewalk on one side of the street for Watson Lane has been approved by Council. The submitted construction plans do not identify sidewalk on one side of the street on Watson Lane. Prior to approval by Planning Commission the applicant shall submit for review and approval a typical road section of Watson Lane that shows the required sidewalk.

GEOTECHNICAL REPORT:

Prior to Planning Commission meeting a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report must include soils resistivity test results.

WATER SYSTEM:

Staff has also noted that the submitted plans identify fire hydrants spacing exceeding 450 feet. Prior to Planning Commission approval the applicant shall revise the construction plans accordingly to ensure that all fire hydrant locations do not exceed the 450 feet spacing requirement.

COST ESTIMATE:

As of this writing the applicant has not submitted a cost estimate of the required improvements. Prior to approval by Planning Commission the applicant is required to submit a cost estimate for review and approval. In addition 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.

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

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an acceptable Warranty Surety for the required public improvements. 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 recommends that the Preliminary Plat application be continued to the September 6, 2007 Planning Commission meeting to allow the request to be heard in conjunction with the associated Variance to the Subdivision Regulations request.