

STAFF REPORT
February 21, 2008

No. 08PL002 - Preliminary Plat

ITEM 25

GENERAL INFORMATION:

APPLICANT	Robert Sundby
AGENT	Dream Design International, Inc.
REQUEST	No. 08PL002 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The E1/2 of Lot 8 of the E1/2 NE1/4, less Lot H1, of the E1/2 of Lot 8 of the E1/2 of the NE1/4, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Sammi's Subdivision, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.398 acres
LOCATION	4961 Sheridan Lake Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/11/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

- 1. Prior to Preliminary Plat approval by the Planning Commission, the plat document shall be revised to show a maximum 40 foot by 40 foot shared approach along the common lot line of proposed Lot 1 and Lot 2. In addition, the plat document shall be revised to show a 20 foot by 40 foot shared approach along the south lot line of proposed Lot 1;**
- 2. Prior to Preliminary Plat approval by the City Council, that portion of the driveway located on proposed Lot 2 which serves as access to the adjacent property shall be removed or upon submittal of a Final Plat application, surety shall be posted to**

STAFF REPORT
February 21, 2008

No. 08PL002 - Preliminary Plat

ITEM 25

- insure that the driveway is removed;
3. Prior to Preliminary Plat approval by the City Council, construction plans for the existing 30 foot wide access and utility easement shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 49 foot wide easement and 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 must be obtained;
 4. Prior to Preliminary Plat approval by the City Council, a grading and erosion control plan shall be submitted for review and approval if any subdivision improvements are required as a part of this plat review;
 5. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the drainage easement as shown on the site plan;
 6. Prior to Preliminary Plat approval by the Planning Commission, a cost estimate of the subdivision improvements, including the cost of removing a portion of the driveway located on proposed Lot 2, shall be submitted for review and approval;
 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:

(Update, February 13, 2008. All revised and/or added text is shown in bold print.) This item was continued at the February 7, 2008 Planning Commission meeting to allow the applicant to submit additional information. On February 7, 2008, the applicant submitted a site plan showing the location of the existing driveways on the property and the adjacent properties. On February 12, 2008, the applicant submitted a revised site plan showing the relocation of the common lot line between proposed Lot 1 and 2 and shared approaches for the existing driveway(s). In addition, the applicant submitted a drawing stamped by a Professional Engineer showing the location of proposed and existing utilities to serve the property.

The applicant has submitted a Preliminary Plat to subdivide a 2.398 acre lot into two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #08SV002) to waive the requirement to provide drainage, grading and erosion control plans and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the width from 49 feet to 30 feet along a 30 foot wide private access and utility easement as it abuts the property.

On December 17, 2007, the City Council approved a Layout Plat (File #07PL148) to subdivide the property into two lots as shown on this Preliminary Plat.

The property is located approximately 200 feet north of the intersection of Chateaux Ridge Court and Sheridan Lake Road on the west side of Sheridan Lake Road. Currently, a single family residence and a shed are located on proposed Lot 1.

STAFF REVIEW:

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

STAFF REPORT
February 21, 2008

No. 08PL002 - Preliminary Plat

ITEM 25

Access: A driveway currently exists along the south lot line of proposed Lot 1 to serve the existing residence on proposed Lot 1 and the existing residence on the property located directly south of this parcel. In addition, a driveway exists along the north lot line of proposed Lot 1. It appears that the applicant is proposing to utilize this driveway as a shared approach to proposed Lot 1 and proposed Lot 2. However, a site plan has not been submitted for review and approval showing the actual location of the existing driveways in relation to the existing and proposed lot lines as required as part of the topographic information. As such, it is unclear where shared approaches and/or access easements must be identified on the plat document. Staff is recommending that the Preliminary Plat be continued to allow the applicant to submit a complete site plan showing the existing driveways and to revise the plat document to show shared approaches and/or access easements as needed. **On February 12, 2008, the applicant submitted a site plan showing the location of the existing driveways on the proposed lots and on the two adjacent lots. In addition, the applicant submitted a site plan showing a proposed 40 foot by 40 foot shared approach along the common lot line of the two proposed lots and a 20 foot by 40 foot shared approach along the south lot line of proposed Lot 1 and the adjacent property. Staff is recommending that prior to Preliminary Plat approval by the City Council, the plat document be revised to show the shared approaches as proposed.**

The site plan also shows a portion of the driveway serving the adjacent property located north of the property on proposed Lot 2. Staff is recommending that prior to Preliminary Plat approval by the City Council, that portion of the driveway located on proposed Lot 2 be removed or upon submittal of a Final Plat application, surety must be posted to insure that the driveway is removed.

The applicant has also submitted an Exception to allow the two existing approaches to continue to serve proposed Lot 1. However, without a site plan showing the actual location of the driveways in relation to the existing and proposed lot lines, staff can not adequately review the Exception request. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to submit a site plan showing the driveways as identified. **Staff reviewed the site plan showing the existing driveways and, subsequently, has approved the Exception request to allow the two existing approaches to serve the property.**

Drainage, Grading and Erosion Control Plans: Drainage information has been submitted for review and approval. In addition, the applicant has submitted a site plan showing a proposed 20 foot wide drainage easement along the south lot line of proposed Lot 1. Staff is recommending that prior to Preliminary Plat approval by the City Council, the plat document be revised to show the drainage easement as shown on the site plan.

To date, a grading and erosion control plan has not been submitted for review and approval. If subdivision improvements are needed as a part of subdividing the property, a grading and erosion control plan must be submitted for review and approval as required. If a Variance to the Subdivision Regulations is obtained to waive all subdivision improvements, the plan is not needed. Staff is recommending that prior to Preliminary Plat approval by the City Council, a grading and erosion control plan be submitted for review and approval if any

STAFF REPORT
February 21, 2008

No. 08PL002 - Preliminary Plat

ITEM 25

subdivision improvements are required as a part of this plat review. **On February 7, 2008, the Planning Commission recommended approval of the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the width from 49 feet to 30 feet along a 30 foot wide private access and utility easement as it abuts the property. The City Council will consider the Variance to the Subdivision Regulations request at their February 19, 2008 City Council meeting.**

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed Preliminary Plat identifies that Lot 2 will have a length twice the distance of the width. During the review of the associated Layout Plat, staff noted that an Exception must be obtained to allow the lot configuration or the plat document must be revised accordingly. Please note that the applicant has requested the Exception and staff has subsequently approved the Exception as requested.

Water and Sewer Service: The applicant has submitted a site plan showing water service lines being extended from Sheridan Lake Road and connecting to a private well located north of the property. The applicant has subsequently submitted information indicating that the water service line to the well will be capped and abandoned at the time the water service for the proposed lot(s) is connected to the City's water service. Staff is recommending that prior to Preliminary Plat approval by the City Council, the site plan be revised to show the water service line(s) extended and abandoned as proposed by the applicant.

The applicant's site plan also incorrectly shows the sewer service line tapped from a gas main in lieu of a sewer main. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the site plan be revised to show the sewer service line tapped from the sewer main.

As noted above, the applicant submitted a drawing stamped by a Professional Engineer showing the location of proposed and existing utilities to serve the property. In particular, the drawing notes that the existing well will be capped and abandoned at the time the water service for the proposed lot(s) is connected to the City's water service. In addition, the drawing now shows the sewer service line tapped into a sewer main in lieu of a gas main.

Private Access and Utility Easement: An existing 30 foot wide access and utility easement is located on a neighboring property adjacent to the north lot line of proposed Lot 2. The easement is classified as a Lane Place Street requiring that it be located in a minimum 49 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff is recommending that prior to Preliminary Plat approval by the City Council, the construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be

STAFF REPORT
February 21, 2008

No. 08PL002 - Preliminary Plat

ITEM 25

posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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 addition, 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 is recommending that the Preliminary Plat be continued to allow the applicant to submit the additional information as outlined above.