

STAFF REPORT
January 10, 2008

No. 07PL152 - Preliminary Plat

ITEM 68

GENERAL INFORMATION:

APPLICANT	Ronald Shape
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Ronald Shape
REQUEST	No. 07PL152 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of the SE1/4 of the NE1/4 of Section 3, located in the SE1/4 of the NE1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 through 6 of Block 1, Lots 1 through 8 of Block 2, Lots 1 through 8 of Block 3, Lots 1 through 8 of Block 4, Lot 1 of Block 5, Lot 1 of Block 6, and Lot 1 of Block 7, Homestead Subdivision, located in the SE1/4 of the NE1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.42 acres
LOCATION	At the eastern terminus of Homestead Street and north of Ziebach Street and Haakon Street
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development) - Office Commercial District (Planned Commercial Development)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Public District - Low Density Residential District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	11/9/2007
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, all necessary changes shall be

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- made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to Preliminary Plat approval by the Planning Commission, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures;
 3. Prior to Preliminary Plat approval by the Planning Commission, revised and/or additional drainage information shall be submitted for review and approval. In particular, the modeled outlet elevation of the 42 inch reinforced concrete pipe shall be revised to match the elevation shown on the grading plans. In addition, the drainage plan shall be revised to address the drainage flows entering the property from northwest of Homestead Street. The existing drainage channel leaving the south side of the property below the outlet of the detention dam shall also be analyzed to show adequate capacity and to demonstrate that it will tie into the channel on the adjoining properties located south of this property. In addition, the detention cell and outlet works shall be designed so that the capacity of the box culvert located at Plateau Lane is not exceeded as per the 2001 Dream Design International Drainage Report. Drainage easements shall also be recorded for the detention cell to be located north of the proposed lot(s);
 4. Prior to Preliminary Plat approval by the Planning Commission, the water analysis shall be provided to verify that adequate fire and domestic fire flows are being provided for the proposed development;
 5. Prior to Preliminary Plat approval by the City Council, the applicant shall enter into an agreement with the City of Rapid City to coordinate with the Public Works Department the design and oversize cost(s) of a 16 inch water main along Homestead Street. In particular, the agreement shall define the responsibilities of both parties regarding the scope of work, design, construction, including contract administration and inspection, and the funding of the improvements;
 6. Prior to Preliminary Plat approval by the Planning Commission, the sewer plans shall be revised to include information verifying that adequate downstream sewer capacity exists to serve the proposed development;
 7. Prior to Preliminary Plat approval by the Planning Commission, a Master Utility Plan for the unplatted balance shall be submitted for review and approval;
 8. Prior to Preliminary Plat approval by the City Council, utility easements shall be recorded at the northern terminus of Ziebach Street and Haakon Street and at the eastern terminus of Homestead Street for the extension of utilities beyond the limits of the plat document;
 9. Prior to Preliminary Plat approval by the Planning Commission, a lot size Variance from the Zoning Board of Adjustment shall be obtained to reduce the lot size of Lot 6, Block 1 from 6,500 square feet to 5,475.5 square feet or the plat document shall be revised accordingly;
 10. Prior to Preliminary Plat approval by the Planning Commission, the plat document shall be revised to show a minimum 50 foot non-access easement along the north lot line of Lot 2, Block 2, at the corner of Ziebach Street and Shape Court, or an Exception to the Street Design Criteria Manual shall be obtained;
 11. Prior to Preliminary Plat approval by the Planning Commission, the plat document shall

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- be revised to show a minimum 20 foot wide Major Drainage Easement along the common lot line of Lot 4 and Lot 5, Block 2;
12. Prior to Preliminary Plat approval by the Planning Commission, construction plans shall be submitted for review and approval showing the extension of Ziebach Street, Haakon Street and/or Homestead Street from their current terminus on adjacent properties to tie into the street(s) being constructed as a part of this development in order to provide physical access to the property. In addition, an Exception shall be obtained to allow more than 40 dwelling units with one point of access if the applicant chooses to extend Ziebach Street or Haakon Street in lieu of Homestead Street. Fire apparatus turnarounds shall also be provided at the end of Ziebach Street and Haakon Street if these two streets are not being extended to connect with the existing street sections located on the adjacent properties;
 13. Prior to Preliminary Plat approval by the Planning Commission, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 14. Prior to submittal of a Final Plat application, a different street name for "Shape Court" shall be submitted for review and approval to the Emergency Services Communication Center. In addition, the plat document shall be revised to show the approved street name;
 15. Prior to submittal of a Final Plat application, the applicant shall identify maintenance of Major Drainage Easements within the development;
 16. 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,
 17. 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, December 28, 2007. All revised and/or added text is shown in bold print.) This item was continued at the December 6, 2007 Planning Commission meeting to allow the applicant to submit additional information as outlined in the stipulations of approval. As of this writing, the information has not been submitted for review and approval. Staff will notify the Planning Commission at the January 10, 2008 Planning Commission meeting of the status of the additional information. Please note that no other part of this Staff Report has been revised.

The applicant has submitted a Preliminary Plat to subdivide 12.42 acres into 33 residential lots as Phase One of Homestead Subdivision.

On September 4, 2007, the City Council approved a Layout Plat (#07PL096) to subdivide approximately 40 acres into 132 residential lots, which included this property. On November 11, 2007, the City Council acknowledged the applicant's request to deny without prejudice an associated Variance to the Subdivision Regulations (#07SV039) to waive the requirement to dedicate a planting screen easement and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Reservoir Road as it abuts the west lot line of the property.

On September 4, 2007, the City Council approved an Annexation Petition request (#07AN003) to annex the property into the City limits of Rapid City.

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The property is located at the eastern terminus of Homestead Street and north of Ziebach Street and Haakon Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Zoning: The property is currently zoned No Use District. The Future Land Use Plan shows the northwestern portion of the property as appropriate for Public and Drainage Areas with an alternate land use of Low Density Residential development. The balance of the property is shown as appropriate for Low Density Residential development. The applicant should be aware that prior to issuance of a building permit, the property must be rezoned from No Use District to Low Density Residential District.

Lot Size: The minimum lot size requirement in the Low Density Residential District is 6,500 square feet. The Preliminary Plat shows Lot 6, of Block 1 with a lot size of 0.1257 acres or 5,475.5 square feet. As such, prior to Preliminary Plat approval by the Planning Commission, a lot size Variance from the Zoning Board of Adjustment must be obtained to reduce the lot size as proposed or the plat document must be revised to provide the minimum lot size of 6,500 square feet.

The balance of the lots within Phase One of the development meet the minimum lot size requirement of the Low Density Residential District. However, several of the corner lots are limited in size ranging from 0.160 acres to 0.238 acres. Providing a minimum 25 foot setback to three of the lot lines, a front yard setback, a side yard setback abutting a street and a rear yard setback, leaves a very small building envelope on each of these lots. The applicant should be aware that the proposed lots will limit the size of the allowable building envelopes. Staff recommends reconfiguring the lots to provide more buildable lots.

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 three of the lots will have a length twice the distance of the width. On November 20, 2007, the applicant submitted an Exception request to allow a lot twice as long as it is wide. The Exception request has been reviewed and approved.

Geotechnical Report: A geotechnical report including pavement design must be submitted for review and approval. In addition, the geotechnical report must include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information must be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections must be provided as needed for buried water system metal fixtures.

Drainage: The property is located within the County Heights Basin Design Plan area. The applicant has submitted a drainage plan for review and approval. However, the modeled outlet elevation of the 42 inch reinforced concrete pipe must be revised to match the elevation shown on the grading plans. In addition, the drainage plan must be revised to address the drainage flows entering the property from northwest of Homestead Street. The

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existing drainage channel leaving the south side of the property below the outlet of the detention dam must also be analyzed to show adequate capacity and to demonstrate that it will tie into the channel on the adjoining properties located south of this property. In addition, the detention cell and outlet works must be designed so that the capacity of the box culvert located at Plateau Lane is not exceeded as per the 2001 Dream Design International Drainage Report.

Staff is recommending that prior to Preliminary Plat approval by the Planning Commission, revised and/or additional drainage information be submitted for review and approval as identified. Drainage easements must also be recorded for the detention cell to be located north of the proposed lot(s).

Water and Sewer: The applicant is located within the Rapid Valley Sanitary District service area. In addition, the applicant has submitted water and sewer plans for review and approval. However, the water plans must be revised to demonstrate that adequate fire and domestic fire flows are being provided for the proposed development. In addition, the sewer plans must be revised to include information verifying that adequate downstream sewer capacity exists to serve the proposed development. Staff is recommending that the revised water and sewer plans be submitted for review and approval prior to Preliminary Plat approval by the Planning Commission. In addition, staff is recommending that utility easements be recorded at the northern terminus of Ziebach Street and Haakon Street and at the eastern terminus of Homestead Street for the extension of utilities beyond the limits of the plat document.

The City's Master Utility Plan identifies a 16 inch transmission water main being extended through the property along Homestead Street in order to improve water service to properties located east of this site, which will include water service to the Rapid City Regional Airport. The transmission line will not provide water service to this property; however, the water line should be installed during the construction of Homestead Street. It is anticipated that all costs associated with the design and construction of the improvement would be borne by the city as "oversize" costs. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the applicant enter into an agreement with the City of Rapid City to coordinate with the Public Works Department the design and oversize cost(s) of the 16 inch water main along Homestead Street. In particular, the agreement will define the responsibilities of both parties regarding the scope of work, design, construction, including contract administration and inspection, and the funding of the improvements.

Access: The Preliminary Plat identifies the extension of Homestead Street from the west and the extension of Ziebach Street and Haakon Street from the south to serve as legal access to Phase One of the development. However, there is a void in the construction of the streets on the adjacent properties. In particular, the three streets have not been constructed to the adjoining lot lines of this property since construction easements could not be obtained at the time the roads were built. In addition, a Variance to the Subdivision Regulations was granted by the City Council to waive the requirement to construct the last 75 feet of Homestead Street during the platting of the adjacent property.

The construction plans submitted with this Preliminary Plat do not include constructing that portion of the streets located on the adjacent properties. These off-site road improvements

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are needed in order to provide physical access to this phase of the development. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, construction plans be submitted for review and approval showing the extension of Ziebach Street, Haakon Street and/or Homestead Street from their current terminus on the adjacent properties to tie into the street(s) being constructed as a part of this development. In addition, an Exception must be obtained to allow more than 40 dwelling units with one point of access if the applicant chooses to extend Ziebach Street or Haakon Street in lieu of Homestead Street. Fire apparatus turnarounds must also be provided at the end of Ziebach Street and Haakon Street if these two streets are not being extended to connect with the existing street sections located on the adjacent properties.

Fire Department: The Fire Department has indicated that all streets and turnarounds must be designed and constructed in compliance with the Street Design Criteria Manual and the currently adopted Fire Codes. In addition, fire hydrants must be in place and operational prior to any building construction. The Fire Department has also indicated that street signs and lot addresses must be posted prior to or in conjunction with any building construction. The currently adopted International Fire Code will need to be continually met.

Emergency Services Communication Center: The Emergency Services Communication Center has indicated that a different street name for "Shape Court" must be submitted for review and approval. Staff is recommending that prior to submittal of a Final Plat application, the street name be submitted for review and approval as identified and that the plat document be revised to show the approved street name.

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 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.

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