

STAFF REPORT  
May 8, 2008

No. 08PL052 - Preliminary Plat

ITEM 30

GENERAL INFORMATION:

APPLICANT	Andrea K Sabow
AGENT	Renner & Associates
PROPERTY OWNER	Andrea K. Sabow
REQUEST	<b>No. 08PL052 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	The E1/2 E1/4 NW1/4 SW1/4, Section 14, T1N, R7E, BHM, Pennington County, South Dakota, excepting there from Lot B of the S1/4 NW1/4, N1/4 SW1/4, Section 14, shown on the plat filed in Plat Book 3, Page 155, and also excepting there from Lot A, Section 14, shown on the plat filed in Plat Book 3, Page 17, and that part of the NE1/4 SW1/4, Section 14, bounded on the north by Lot B of the S1/4 NW1/4 and the N1/4 of the SW1/4, Section 14, shown on the plat filed in Plat Book 3, page 155, and bounded on the east by the right-of-way for "Old U.S. Highway 16" shown on the plat filed in Highway Plat Book 2, Page 48, and bounded on the south by Lot A, Section 14, shown on the plat filed in Plat Book 3, Page 17, and bounded on the west by the west boundary line of said NE1/4 SW1/4
PROPOSED LEGAL DESCRIPTION	Tracts A and B of Tower Place, (description formerly as shown in Book 57 of Deeds, Page 7057, recorded on January 26, 1995), located in the N1/2 SW1/4, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.89 acres
LOCATION	1640 Skyline Ranch Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Agriculture District
East:	General Commercial District - Office Commercial District
West:	Park Forest District
PUBLIC UTILITIES	Private on-site water and wastewater

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DATE OF APPLICATION 4/11/2008

REVIEWED BY Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Preliminary Plat be continued to the May 22, 2008 Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide one lot into two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #08SV025) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along Tower Road, Skyline Ranch Road and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water sewer and pavement along Hanks Drive as they abut the property.

On September 5, 2006, the City Council denied without prejudice a Preliminary Plat (File #06PL086) to subdivide the property into two lots at the applicant's request. In addition, the City Council denied without prejudice a Variance to the Subdivision Regulations (File #06SV038) to waive the requirement to improve the adjacent streets at the applicant's request.

The property is located in the northwest corner of the intersection of Tower Road and Skyline Ranch Road. Currently, two single family residences are located on proposed Tract B. Proposed Tract A is void of any structural development.

STAFF REVIEW:

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

Water: A 10 inch City water main is located along Tower Road and an 8 inch City water main is located along Skyline Ranch Road. However, City water does not currently serve the property. The applicant has indicated that the two residences are currently served by a well. If the well is to serve both lots, then the well must be designed by a Registered Professional Engineer as a public water system. In addition, a water system analysis verifying the adequacy of water quantity and storage capacity for domestic and fire flows must be submitted for review and approval. The applicant must also submit a Master Utility Plan showing the location of existing City water main(s) and fire hydrants along Tower Road and Skyline Ranch Road.

The previously submitted Preliminary Plat was continued several times by the Planning Commission and the City Council to allow the applicant to address these same water issues. However, the information was never submitted as requested and the applicant ultimately requested that the Preliminary Plat be denied without prejudice. In addition, the information has not been submitted as a part of this Preliminary Plat application. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to submit the information as identified for review and approval.

Sewer: The applicant has indicated that on-site septic systems serve the property. However, a

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site plan showing the location of the septic tank(s) and drainfield(s) has not been submitted for review and approval. In addition, a City sewer main is located along Tract B and a portion of Tract A within the Tower Road right-of-way. Chapter 16.16.050.B states that “any subdivision located within 500 feet of the Rapid City sewer system or any central sewer system shall be required to hook up to that system, unless in the opinion of the City engineer, special circumstances warrant the waiving of this requirement”. To date, the applicant has not submitted an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems. In addition, the applicant has not submitted information demonstrating special circumstances to warrant waiving the requirement to connect to City sewer. A Master Utility Plan must also be submitted for review and approval showing the location of the City sewer main on Tower Road.

The previously submitted Preliminary Plat was continued several times by the Planning Commission and the City Council to allow the applicant to address these same sewer issues. The information was never submitted as requested and the applicant ultimately requested that the Preliminary Plat be denied without prejudice. In addition, the information has not been submitted as a part of this Preliminary Plat application. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to submit the information as identified for review and approval.

Master Utility Plan: To date, a Master Utility Plan showing the location of both public and private utilities has not been submitted for review and approval. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to submit a Master Utility Plan for review and approval.

Tower Road: Tower Road is located along the east side of the property and is classified as a collector street on the City’s Major Street Plan requiring that it be located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Tower Road is located in a 66 foot wide right-of-way and is constructed with an approximate 22 foot wide paved surface, water and sewer along a portion of Tract A and Tract B. Staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Hanks Drive: Hanks Drive is located along the north lot line of the subject property and is classified as a lane place street. A lane place street must be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer or the street must be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. If on-street parking is not provided, the developer must provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs. Currently, Hanks Drive is located in a 39.34 foot wide access easement and is constructed with an approximate 12 foot wide graveled surface. The Preliminary Plat shows the dedication of an additional 3 foot wide “private drive and utility easement”. Staff is recommending that prior to

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Preliminary Plat approval by the City Council, road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. In addition, staff is recommending that a "detail" of the dedication of the 3 foot wide easement also be shown on the plat in order to clearly delineate the proposed easement.

Hanks Drive, a private drive and utility easement, currently serves as access to five lots. However, the Street Design Criteria Manual states that an easement may serve up to four lots. As such, an Exception must be obtained to allow Hanks Drive to serve five lots in lieu of four lots or the plat document must be revised to show Hanks Drive located within right-of-way. In addition, a copy of the previously recorded easement must be submitted for review and approval to determine if the terms of the easement allow Hanks Drive to serve as access to the applicant's property.

Skyline Ranch Road: Skyline Ranch Road is located along the south lot line of the property and is classified as a lane place street. A lane place street must be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer or the street must be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. If on-street parking is not provided, the developer must provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs. Currently, the eastern portion of Skyline Ranch Road as it extends from Tower Road is located outside of the identified right-of-way along the subject property with the balance of the street located in a 66 foot wide right-of-way. In addition, the street is constructed with an approximate 20 foot wide paved surface. The Preliminary Plat identifies a "right-of-way easement" across the subject property in the area of the existing street encroachment. However, a note on the plat states that the "route of the easement is not set forth". As such, staff is recommending that the plat document be revised to clearly show the existing street within right-of-way. If the applicant proposes to secure this portion of the street within an access easement, then an Exception must be obtained to allow an easement to serve ten lots in lieu of four lots as per the Street Design Criteria Manual. In addition, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Non-Access Easements: The plat document must be revised to show a non-access easement along Tower Road or an Exception must be obtained to allow access from a higher order street. In addition, the plat document must be revised to show a non-access easement along the first 75 feet of all corner lots as per the Street Design Criteria Manual or an Exception must be obtained to reduce the separation between the driveway(s) and the street intersection(s) as needed.

Drainage: To date, a drainage plan has not been submitted for review and approval. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to submit a drainage plan addressing the existing drainage on the property as well as any subdivision improvements that may be required. In addition, the plat document must be revised to show

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drainage easements as needed.

Grading Plan: If any subdivision improvements are required, a grading plan must be submitted for review and approval. Staff is recommending that the grading plan be submitted for review and approval prior to Preliminary Plat approval by the City Council if needed.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if any subdivision improvements are required.

Cost Estimate: If subdivision improvements are required, a cost estimate must be submitted for review and approval. Staff is recommending that the cost estimate be submitted for review and approval prior to Preliminary Plat approval by the City Council if needed.

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 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 any public improvements, a Warranty Surety be submitted for review and approval if subdivision improvements are required.

Plat Labeling: The Register of Deed's Office has indicated that the plat title must be revised to read "formerly part of the E1/2E1/2NW1/4SW1/4 and part of NE1/4SW1/4, Section 14..." Staff is recommending that the plat title be revised as identified prior to submittal of a Final Plat application.

Staff is recommending that the Preliminary Plat be continued to the May 22, 2008 Planning Commission meeting to allow the applicant to submit the additional information as outlined above.