

STAFF REPORT
October 23, 2008

No. 08PL135 - Preliminary Plat

ITEM 15

GENERAL INFORMATION:

APPLICANT	Robert Sundby
AGENT	Dream Design International, Inc.
PROPERTY OWNER	Vitalis D. and Joy Stemper Trustees
REQUEST	No. 08PL135 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The N1/2 of Lot 4, less Lot H1, the N1/2 of the east 198 feet of Lot 13 of Una Del Acres, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A and B of Lot 4 of Una Del Acres, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.97 acres
LOCATION	5755 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 water and sewer
DATE OF APPLICATION	9/26/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

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

- 1. Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;**
- 2. Prior to Preliminary Plat approval by City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be obtained as required;**
- 3. Upon submittal of a Final Plat application, surety for any required subdivision**

No. 08PL135 - Preliminary Plat

ITEM 15

- improvements that have not been completed shall be posted and subdivision inspection fees be paid as required;
4. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 5. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS: (Update, November 21, 2008. All revised and/or added text is shown in bold print.) This item was continued to the December 4, 2008 Planning Commission meeting to allow staff to review the additional information that was submitted by the applicant. Staff has reviewed and approved the additional information and recommends that the Preliminary Plat application be approved with the above stated stipulations.

(Update, November 12, 2008. All revised and/or added text is shown in bold print.) This item was to be heard at the November 6, 2008 Planning Commission Meeting. However, due to inclement weather, the Planning Commission was unable to meet. As of this writing, all of the outstanding issues have not been addressed, as such staff is recommending that this item be continued to the December 4, 2008 Planning Commission meeting.

The applicant has submitted a Preliminary Plat application to subdivide a 1.97 acre lot into two lots. The property is located south of the intersection of Finch Court and Sheridan Lake Road on the west side of Sheridan Lake Road. Currently, a single family residence is located on the property.

STAFF REVIEW:

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

Sheridan Lake Road: Staff has noted that sidewalk, curb, gutter, and street light conduit are currently in place along Sheridan Lake Road. Sheridan Lake Road is classified as a principal arterial street. The Street Design Criteria Manual requires 100 feet of right-of-way and twelve feet of pavement width per lane. Staff noted that the applicant must demonstrate that there is adequate right-of-way and pavement along Sheridan Lake Road where it abuts the property. Staff recommends that prior to Planning Commission approval of a Preliminary Plat application the applicant must identify adequate right-of-way and pavement width as per the Street Design Criteria Manual for a principal arterial street along Sheridan Lake Road or obtain a Variance to the Subdivision Regulations.

On November 12, 2008 the applicant submitted road construction plans for Sheridan Lake Road demonstrating that Sheridan Lake Road meets the minimum right-of-way and pavement widths per the requirements of the Rapid City Street Design Criteria Manual.

Access: A driveway currently exists along the north lot line of proposed Lot B to serve the

existing residence on proposed Lot A. However, a site plan has not been submitted for review and approval showing the location of the proposed driveway to Lot B. Staff is recommending that prior to Planning Commission approval of a Preliminary Plat application the applicant must submit a complete site plan showing the existing and proposed driveways and a revised plat document showing a shared approach on Sheridan Lake Road for review and approval.

On November 18, 2008 the applicant submitted a revised site plan showing the locations of the existing and proposed driveways. In addition, the applicant submitted a revised plat document demonstrating a shared approach for the proposed lots as required.

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 drainage and utility easement along the common line of the proposed lots. However, the Preliminary Plat document does not show the proposed easement. Staff is recommending that prior to Preliminary Plat approval by the City Council, a revised plat be submitted for review and approval demonstrating the proposed drainage and utility easement.

On November 12, 2008 the applicant submitted a revised plat document demonstrating the necessary drainage and utility easements.

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 proposed Lot A will have a length twice the distance of the width, as such 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 is in the process of reviewing the Exception as requested.

On November 19, 2008 an Exception was approved to allow a lot with the lot length greater than twice the lot width.

Water and Sewer Service: The applicant has submitted a site plan stamped by a Registered Professional Engineer showing water and sewer service lines extending from Sheridan Lake Road across proposed Lot B to serve proposed Lot A. The site plan also demonstrates abandoning the existing on-site waste water system. However, the applicant has not demonstrated sufficient quantities for domestic and fire flows for review and approval. As such, staff recommends that prior to Planning Commission approval of the Preliminary Plat application the required information shall be submitted for review and approval. In addition, an Exception is required to allow service lines to cross adjacent properties. Staff recommends that prior to Planning Commission approval of the Preliminary Plat application an Exception shall be obtained to allow services lines on the adjacent property or a revised utility plan must be submitted for review and approval relocating the proposed utility service lines.

On November 18, 2008 the applicant submitted a revised site plan and plat document

demonstrating that the existing and proposed service lines do not cross adjacent lots.

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.