

STAFF REPORT
April 22, 2010

No. 10PL012 - Layout Plat

ITEM 17

GENERAL INFORMATION:

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| APPLICANT | Randy Ruthford |
| AGENT | Eric Howard for Renner & Associates, LLC |
| PROPERTY OWNER | Randy Ruthford |
| REQUEST | No. 10PL012 - Layout Plat |
| EXISTING LEGAL DESCRIPTION | The W1/2 of Lot 24 of Acre Tract and Lot 3 of Block 6 of Pleasant Valley Subdivision, located in the SW1/4 of the SW1/4, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lot A of Lot 24 of Acre Tract and Lot 3R of Block 6 of Pleasant Valley Subdivision, located in the SW1/4 of the SW1/4, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 0.979 acres |
| LOCATION | 204 South Canyon Road and 213 Philip Drive |
| EXISTING ZONING | Low Density Residential District |
| SURROUNDING ZONING | |
| North: | Low Density Residential District |
| South: | Low Density Residential District |
| East: | Low Density Residential District |
| West: | Medium Density Residential District (Planned Development Designation) |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 2/24/2010 |
| REVIEWED BY | Ali DeMersseman / Mary Bosworth |

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the withdrawal of the Layout Plat application.

GENERAL COMMENTS:

(Update, April 14, 2010. All revised and/or added text is shown in bold print.) On April 9, 2010, the applicant withdrew the Layout Plat application. As such, staff

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recommends that the Planning Commission acknowledge the applicant's withdrawal of the Layout Plat application.

(Update, March 27, 2010. All revised and/or added text is shown in bold print.) This item was continued to the April 8, 2010 Planning Commission meeting to allow the applicant to submit a revised site plan. As of this writing, a revised site plan has not been submitted. Therefore, staff recommends that the Layout Plat be continued to the April 22, 2010 Planning Commission meeting.

The applicant has submitted a Layout Plat to adjust the lot line between two parcels, creating Lot A of Lot 24 of Acre Tract, a 0.672 acre lot, and Lot 3R of Block 6 of Pleasant Valley Subdivision, a 0.307 acre lot. The Pleasant Valley Subdivision was originally platted in 1950 and Lot 24 of Acre Tract was originally platted in 1929.

The properties are located south of West Chicago Street and east of South Canyon Road at 204 South Canyon Road and 213 Philip Drive. Each lot is developed with a single family residence. The residence at 204 South Canyon Road was originally constructed in 1951 and the residence at 213 Philip Drive was originally constructed in 1950.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval, but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, the Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or Street Design Criteria Manual will require a formal variance request, or a special exception, whichever is applicable.

STAFF REVIEW:

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

Site Plan: The applicant has submitted a site plan showing the existing structures on each proposed lot. The submitted site plan shows that proposed Lot A of Lot 24 is developed with a single family residence, an attached garage, a pool house, and a detached garage. Lot 3R is developed with a single family residence with an attached garage. However, there is an in-ground swimming pool on proposed Lot A of Lot 24 and existing driveways serving each proposed lot that are absent from the submitted site plan. As such, staff recommends that the Layout Plat be continued to allow the applicant to submit a revised site plan showing all existing development on the proposed lots and the existing driveways as required.

Water: Staff has indicated that there are existing water mains located in both Philip Street and South Canyon Road. However, the location of the existing water mains are absent from the submitted site plan. In addition, the site plan shows the existing water service line serving proposed Lot 3R; however, the site plan does not show the location of the water service line serving Lot A of Lot 24. Therefore, staff recommends that the Layout Plat be continued to

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allow the applicant to submit a revised site plan showing the locations and sizes of the existing water mains located in both Philip Street and South Canyon Road, and the location of the water service line serving Lot A of Lot 24.

Sewer: Currently, sewer mains do not exist along Philip Street or South Canyon Drive as they abut the property. The existing residences on both proposed lots are served by an existing sanitary sewer main that is located within a 20 foot wide sanitary sewer line easement that is located along the rear and side property lines. Section 16.16.050 of the Rapid City Municipal Code states that a sewer collection system must be extended along all adjacent right-of-ways in accordance with City specifications at the time of platting. As such, staff recommends that prior to Preliminary Plat approval, construction plans be submitted for review and approval showing the installation of sewer mains along Philip Street and South Canyon Drive as they abut the property or a Variance to the Subdivision Regulations must be obtained.

In addition, the existing sewer service line to proposed Lot 3R is non-conforming, as it crosses an adjacent property. Therefore, staff recommends that prior to Preliminary Plat approval the sewer service line must be relocated to comply with the City's design standards, or an Exception must be obtained to allow a non-conforming sewer service line to serve proposed Lot 3R.

Philip Street: Philip Street, which abuts proposed Lot 3R, is classified as a lane/place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface if on-street parking is permitted on two sides of the street. In addition, the street must be constructed with curb, gutter, sidewalk, street light conduit, water and sewer. Staff recommends that the Layout Plat be continued to allow the applicant to submit a site plan showing the existing right-of-way width and pavement width of Philip Street as it abuts the property. In addition, the site plan must show any existing curb, gutter, sidewalks, street light conduit, water and sewer lines along Philip Street that abut the property.

South Canyon Road: South Canyon Road, which abuts proposed Lot A of Lot 24, is classified as a collector street requiring that the street be located in a minimum 76 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface if on-street parking is permitted on two sides of the street. In addition, the street must be constructed with curb, gutter, sidewalk, street light conduit, water and sewer. Staff recommends that the Layout Plat be continued to allow the applicant to submit a site plan showing the existing right-of-way width and pavement width of South Canyon Road as it abuts the property. In addition, the site plan must show any existing curb, gutter, sidewalks, street light conduit, water and sewer lines along South Canyon Road that abut the property.

Lot Configuration: Section 16.12.190 of the Rapid City Municipal Code requires that "lots in residential districts having a width of not more than 150 feet, the lot length shall not be greater than twice the lot width." Each proposed lot has a lot length greater than twice the lot width. Therefore, staff recommends that prior to Preliminary Plat approval, the applicant must revise the plat document to comply with Section 16.12.190 or obtain an Exception to allow the proposed lots to have a length greater than twice the lot width.

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Easements: Section 16.12.200 of the Rapid City Municipal Code states that “Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where necessary and shall not be less than 20 feet wide total unless otherwise approved by the City Engineer.” Generally, the City Engineer has supported an 8 foot wide minor drainage and utility easement being secured along all interior lot lines. Subsequently, the applicant has placed a note on the Layout Plat identifying that an 8 foot wide utility and minor drainage easement will be provided on the interior of all lot lines.

Section 16.12.200 also requires that any drainage easement indicated on a subdivision plat shall be kept free of all obstructions including buildings. However, the submitted site plan shows that the existing detached garage on proposed Lot A of Lot 24, located 7 feet from the property’s rear lot line, is within the identified 8 foot wide utility and minor drainage easement. As such, staff recommends that prior to Planning Commission approval, the applicant must obtain approval from the City Engineer to allow an alternative easement designation that allows the existing garage to remain, or the garage must be removed in whole or in part to allow the minimum 8 foot wide minor drainage and utility easement along the rear lot line of proposed Lot A of Lot 24.

In addition, Public Works staff has requested that the applicant provide a 12 foot wide utility easement along the interior south property line of proposed Lot A of Lot 24 in order to provide City access to the existing sewer main manhole. As such, staff recommends that prior to Preliminary Plat approval, the plat document be revised to show a 12 foot wide utility easement along the south property line of proposed Lot A of Lot 24.

Register of Deeds: The Register of Deeds has indicated that the formerly portion of the plat title must be revised to comply with the deed, which states: to Randal R. and Lori A. Ruthford of Acre Tract.

Drainage: As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval. In particular, the drainage plan must include drainage arrows, the locations of downspouts, and any proposed ditches or swales in order to ensure that the adjacent lots are not negatively impacted by drainage from the proposed lots.

Stormwater Management Plan: The City Council 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 recommends that upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval for any required subdivision improvements.

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 must 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 recommends that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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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 any 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 recommends 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.

Staff recommends that the Planning Commission acknowledge the applicant's withdrawal of the Layout Plat application.