

STAFF REPORT  
July 22, 2010

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**No. 10PL037 - Preliminary Plat**

**ITEM 17**

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GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	DKEA, LLC
REQUEST	<b>No. 10PL037 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	A portion of the NW1/4 of the NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 14 thru 22 of Block 7 and Lots 14 thru 21 of Block 8 of Red Rock Meadows Subdivision, of the NW1/4 of the NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.5 acres
LOCATION	At the northern terminus of Seminole Lane
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/28/2010
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

- 1. Prior to Preliminary Plat approval by the City Council, a copy of the recorded drainage easement for the 36 inch storm sewer pipe located on an adjacent property shall be submitted for review and approval;**
- 2. Prior to submittal of a Final Plat application, the applicant shall enter into an agreement with the City for the installation and maintenance of decorative street lights if utilized;**

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3. **Prior to submittal of a Final Plat application, the lift station shall be accepted by the City;**
4. **Prior to submittal of a Final Plat application, the drainage issues located at the west end of Poppy Trail shall be addressed and the second lift of asphalt shall be installed on Poppy Trail;**
5. **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;**
6. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,**
7. **The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within 2 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 2 year period, request a 1 year extension subject to approval by the City Council.**

GENERAL COMMENTS:

**(Update: July 14, 2010. All revised and/or added text is shown in bold print.) This item was continued at the July 8, 2010 Planning Commission meeting to allow the applicant to submit additional information. The applicant has subsequently submitted revised construction plans and a revised Master Plan.**

(Update: June 25, 2010. All revised and/or added text is shown in bold print.) This item was continued at the June 24, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. To date, the information has not been submitted for review and approval. As such, staff recommends that the Final Residential Development Plan be continued to the July 22, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

The applicant has submitted a Preliminary Plat to create 17 lots leaving an unplatted non-transferable balance. The property is being platted as Phase 4 of Red Rock Meadows Subdivision.

The property is located at the northern terminus of Seminole Lane. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Master Plan/Revised Plat: The applicant has submitted a Master Plan of the proposed unplatted balance identifying one additional residential lot, a large Major Drainage Easement area and an 860 foot long collector street as a future phase of development. Chapter 16.12.040 of the Rapid City Municipal Code states that land shall not be subdivided in a manner which omits part of the original tract to avoid street, drainage or other required infrastructure improvements". Platting only one residential lot in conjunction with an 860 foot long collector street may delay the future platting of this area and the provision of required public improvements. In order to insure that the collector street is platted in a timely manner, staff recommends that a revised Master Plan and plat document be submitted for

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review and approval identifying that a minimum of six lots will be platted in conjunction with the collector street and Major Drainage Easement area or the plat document must be revised to include all of the proposed unplatted balance as a part of this Preliminary Plat application. In the past, the City has experienced difficulty with securing the necessary street rights-of-way and improvements when the number of proposed lots does not support the cost of the infra-structure improvements for that phase of the development. In the case of Minnesota Street, the tax payers ended up paying for the improvements and the adjacent land was returned to the County on a tax deed.

Staff recommends that the Preliminary Plat be continued to allow the applicant to submit a revised Master Plan and/or plat document as identified to avoid the potential for the taxpayers to be required to pay for future required improvements.

**(Update: July 14, 2010) The applicant has submitted a revised Master Plan identifying seven residential lots, a large Major Drainage Easement area and an 860 foot long collector street as a future phase of development. Staff has reviewed and approved the Master Plan.**

Grading Plan: The applicant has submitted a grading plan identifying a ten foot wide drainage easement located along the rear lot line of Lots 14 through 22, Block 7. It appears the easement may not be sufficiently sized to accommodate the drainage ditch proposed within this area. In addition, the grading plan indicates that there may be limited building envelopes on future lots to be platted west of this area. Staff recommends that the Preliminary Plat be continued to allow the applicant to verify that the proposed 10 foot wide drainage easement located along the rear lot line of proposed Lots 14 through 22, Block 7 is sufficiently sized to accommodate the proposed drainage ditch and to demonstrate that a future building envelope will be provided on the future lots to be platted west of the property. Please note that previous phases of Red Rock Meadows have experienced drainage issues between properties due to grading issues.

**(Update: July 14, 2010) The applicant has submitted a revised grading plan showing drainage conveyed along the side lot lines. Subsequently, the plan shows the removal of the 10 foot wide drainage easement previously proposed along the rear lot line of Lots 14 through 22, Block 7. In addition, the Master Plan identifies that the side lot lines will align with the future lots to be platted west of the property, with the exception of one lot line. The side lot line drainage easements can be designed to accommodate lot drainage. As such, it appears that buildable envelopes exist on the proposed lots.**

Drainage: A 36 inch storm sewer pipe is currently located on an adjacent property requiring that it be secured within a drainage easement. Prior to Preliminary Plat approval by the City Council, the applicant must submit a copy of the recorded drainage easement for review and approval. In addition, the applicant must confirm the elevation of the inlet of the existing pipe and revise the detention pond outlet structure as required.

**(Update: July 14, 2010) The applicant has confirmed the elevation of the inlet. Staff has reviewed and approved the information.**

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**To date a copy of the recorded drainage easement for the 36 inch storm sewer pipe located on an adjacent property has not been submitted. As such, staff recommends that prior to Preliminary Plat approval by the City Council, a copy of the recorded easement be submitted for review and approval.**

An overhead power line is currently located north of the proposed detention pond. A site plan must be submitted showing the location of the power line in relation to the detention pond and a copy of any utility easement(s) that may be recorded for the overhead power line must be submitted to insure that there is no conflict between the power line and the detention pond.

**(Update: July 14, 2010) The applicant has identified the location of the overhead power line on the revised construction plans demonstrating that it does not conflict with the detention pond.**

Street Lights: The construction plans must be revised to show the location of the street lights. If the applicant is proposing to utilize decorative street lights as has been the case in previous phases of this development, then the applicant must enter into an agreement with the City for the installation and maintenance of the decorative street lights. Please note that the previous agreement for decorative street lights did not include this phase of the development.

**(Update: July 14, 2010) Prior to submittal of a Final Plat application, the applicant must enter into an agreement with the City for the installation and maintenance of decorative street lights if utilized.**

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. As such, staff recommends that prior to Preliminary Plat approval by the City Council, an Exception be obtained to allow a lot twice as long as it is wide or the plat document must be revised to comply with the length to width requirement.

**(Update: July 14, 2010) On July 6, 2010, an Exception was approved to allow a lot twice as long as it is wide.**

Off-site Improvements: To date, the lift station that will be utilized to serve this phase of the development has not been accepted by the City. In addition, all of the improvements for Phase II of Red Rock Meadows have not been completed and accepted. In particular, drainage issues at the west end of Poppy Trail must be addressed and the second lift of asphalt must be installed on the street. To date, some of the street lights required in previous phases of the development have not been installed.

Staff recommends that the lift station be accepted and the improvements for Phase II be completed and accepted prior to submittal of a Final Plat application for this phase of the development. In addition, all of the required street lights must be installed for the previous phases of the development.

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**(Update: July 14, 2010) The street lights required in the previous phases of the development have been installed. The balance of the improvements have not been completed. As such, staff recommends that prior to submittal of a Final Plat application, the lift station be accepted by the City. In addition, the drainage issues located at the west end of Poppy Trail must be addressed and the second lift of asphalt must be installed on Poppy Trail.**

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 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.

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