

STAFF REPORT
February 24, 2011

No. 11PL007 - Preliminary Plat

ITEM 9

GENERAL INFORMATION:

APPLICANT	Doug Pokorney Northern Development, LLC
AGENT	D.C. Scott Co. Land Surveyors
PROPERTY OWNER	Northern Development, LLC - Larry Nelson / Doug Pokorney
REQUEST	No. 11PL007 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Block 11 and Block 22 of the amended plat of Mahoney Addition, located in the SW1/4 SE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot A, Lot B and Lot C of Block 11 and Lot A, Lot B, and Lot C of Block 22 of Mahoney Addition
PARCEL ACREAGE	Approximately 1.063 acres
LOCATION	East of Wood Avenue bewteen Lindbergh Avenue and Patton Street
EXISTING ZONING	Low Density Residential District - Medium Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District - Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/28/2011
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;

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2. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be 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;
3. Prior to Preliminary Plat approval by the City Council, construction plans for Lindbergh Avenue shall be submitted for review and approval showing three additional feet of pavement, for a minimum pavement width of 27 feet, or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to Preliminary Plat approval by the City Council, construction plans for Patton Street shall be submitted for review and approval showing three additional feet of pavement, for a minimum pavement width of 27 feet, or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required. In addition, a grading plan and a drainage plan shall be submitted for review and approval if subdivision improvements are required;
6. 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;
7. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
8. 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:

The applicant has submitted a Preliminary Plat to replat two lots into six lots. The lots are to be known as Lots A, B and C of Block 11 and Lots A, B and C of Block 22 of Mahoney Addition. The lots range in size from .167 acres to .176 acres. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #11SV002) to waive the requirement to increase the existing pavement width from 24 feet to 27 feet along Lindbergh Avenue and Patton Street as they abut the property.

On December 6, 2010, the City Council approved a Layout Plat (File #10PL079) to replat the property into six lots as shown on this Preliminary Plat.

The property is located east of Wood Avenue between Lindbergh Avenue and Patton Street. The property is currently void of any structural development.

STAFF REVIEW:

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

Zoning: Block 11 is currently zoned Medium Density Residential with a Planned Development Designation and Block 22 is currently zoned Low Density Residential District. The proposed lots meet the minimum lot size requirement of the Low Density Residential District and the Medium Density Residential District. The applicant should be aware that prior to issuance of

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a building permit for any future residential development on the proposed lots located within Block 11, an Initial and Final Residential Development Plan must be submitted for review and approval.

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 all of the proposed lots will have a length twice the distance of the width. As such, the applicant has submitted an Exception request to allow a lot twice as long as it is wide. Staff is currently reviewing the Exception request.

Staff recommends that prior to Preliminary Plat approval by the City Council, the Exception be approved 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.

Lindbergh Avenue: Lindbergh Avenue is located along north lot line and is classified as a sub-collector street requiring that it be located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Lindbergh Avenue is currently located within a 60 foot wide right-of-way and constructed with a 24 foot wide paved surface, curb, gutter, sidewalk along the north side of the street, street light conduit, water and sewer.

The applicant has submitted construction plans showing the installation of a sidewalk along the south side of the street. Prior to Preliminary Plat approval by the City Council, the construction plans must be revised to show the installation of three additional feet of pavement along Lindbergh Avenue, for a minimum width of 27 feet, or a Variance to the Subdivision Regulations must be obtained.

Patton Street: Patton Street is located along the south lot line and is classified as a sub-collector street requiring that it be located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Patton Street is currently located within a varying right-of-way width from 33 feet to 51.5 feet. The Preliminary Plat identifies the dedication of 9.5 feet of additional right-of-way along Patton Street.

Patton Street is currently constructed with a 24 foot wide paved surface, curb, gutter, sidewalk along the south side of the street, street light conduit, water and sewer. The applicant has submitted construction plans showing the installation of a sidewalk along the north side of the street. Prior to Preliminary Plat approval by the City Council, the construction plans must be revised to show the installation of three additional feet of pavement along Patton Street, for a minimum width of 27 feet, or a Variance to the Subdivision Regulations must be obtained.

Stormwater Management Plan/Grading and Drainage 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. The applicant has submitted an Erosion and Sediment Control Plan; however, if the additional pavement width is required along Lindbergh Avenue and Patton Street, a revised Erosion and Sediment Control Plan in

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compliance with the adopted Stormwater Quality Manual must be submitted for review and approval. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction. A grading and drainage plan must also be submitted for review and approval if subdivision improvements are required.

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 as 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.

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 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.

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