

STAFF REPORT
November 10, 2011

No. 11PL035 - Preliminary Plat

ITEM 5

GENERAL INFORMATION:

APPLICANT	Robert W. Akers
AGENT	Renner & Associates, LLC
PROPERTY OWNER	Philip Weger
REQUEST	No. 11PL035 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Tract 5 Revised of Signal Heights Subdivision and a portion of vacated South Street located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Tract 5 Revised of Signal Heights Subdivision
PARCEL ACREAGE	Approximately 14.959 acres
LOCATION	North of the intersection of East Boulevard and Kellogg Place
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District - Medium Density Residential District
South:	General Commercial District
East:	Medium Density Residential District (Planned Residential Development)
West:	Park Forest District - Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/24/2011
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff recommends that the Preliminary Plat be continued to the **November 23, 2011** Planning Commission meeting.

GENERAL COMMENTS:

(Update: November 1, 2011. All revised and/or added text is shown in bold print.)
This item was continued at the October 27, 2011 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted. As such, staff recommends that the Preliminary Plat be continued to

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the November 23, 2011 Planning Commission meeting to allow the applicant to submit the additional information.

(Update: October 18, 2011. All revised and/or added text is shown in bold print.) This item was continued at the October 6, 2011 Planning Commission meeting to allow the applicant to submit additional information. On October 18, 2011, staff met with the applicant's consultant to discuss the outstanding issues. The applicant's consultant has indicated that a sewer and water layout and a feasibility plan demonstrating service to the property will be submitted for review and approval. In addition, a road layout for First Street will be submitted for review and approval to demonstrate access to the property.

Staff recommends that the Preliminary Plat be continued to the November 10, 2011 Planning Commission meeting to allow the applicant to submit the additional information as noted above.

(Update: September 28, 2011. All revised and/or added text is shown in bold print.) This item was continued at the September 8, 2011 Planning Commission meeting to allow the applicant to submit additional information. To date, no additional information has been submitted. As such, staff recommends that the Preliminary Plat be continued to the October 27, 2011 Planning Commission meeting with the concurrence of the applicant's consultant.

(Update: August 26, 2011. All revised and/or added text is shown in bold print.) This item was continued at the August 25, 2011 Planning Commission meeting to allow the applicant to submit additional information. To date, no additional information has been submitted. As such, staff recommends that the Preliminary Plat be continued to the October 6, 2011 Planning Commission meeting with the concurrence of the applicant's consultant.

(Update: August 15, 2011. All revised and/or added text is shown in bold print.) This item was continued at the July 21, 2011 Planning Commission meeting to allow the applicant to submit additional information. To date, no additional information has been submitted. As such, staff recommends that the Preliminary Plat be continued to the September 8, 2011 Planning Commission meeting.

The applicant has submitted a Preliminary Plat to subdivide a 14.959 acre parcel into two lots. The two lots are to be known as Lot 1 of Tract 5 Revised and Lot 2 of Tract 5 Revised. In addition, the lots are sized 8.183 and 6.776 acres, respectively.

The property is located north of the intersection of East Boulevard and Kellogg Place. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Zoning: The property is currently zoned Park Forest District which requires a minimum three acre lot size. The proposed lots meet the minimum lot size requirement. The applicant should be aware that future development of the property may require that the property be rezoned to allow the proposed use.

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Master Plan: A Master Plan identifying circulation, access and utilities must be submitted for review and approval. The Utility Master Plan must include private and public utilities. Staff recommends that the Preliminary Plat be continued to allow the applicant to submit the required information.

Water: To date, water plans have not been submitted for review and approval identifying water service to the property. The property is located within the Palo Verde Zone. However, the Palo Verde Zone cannot provide service to elevations over 3300. A 20 inch transmission line traverses through the property and must be secured within a minimum 20 foot wide water easement, plus the diameter of the pipe, centered on the main. The transmission pipe cannot be used to serve the proposed lots.

Staff recommends that the Preliminary Plat be continued to allow the applicant to submit water plans identifying service to the proposed lots as required. The water plans must be prepared by a Registered Professional Engineer showing the extension of water mains and service lines or a Variance to the Subdivision Regulations must be obtained. In addition, the water plans must identify the water source and show that adequate water quantity for domestic and fire flows is being provided. The plat document must also be revised to provide utility easements as needed.

Sewer: To date, sewer plans have not been submitted for review and approval identifying sewer service to the property. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit sewer plans as required. In particular, the sewer plans must be prepared by a Registered Professional Engineer showing the extension of sewer main(s) and service lines or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to provide utility easement as needed.

Grading/Drainage: To date, a grading plan and a drainage plan have not been submitted for review and approval. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit a grading plan and drainage plan as required. In addition, the grading plan must show any proposed grading, including cut and fill quantities. The drainage plan must be designed in compliance with the Drainage Criteria Manual, including calculations demonstrating that discharge from any improvements will not exceed pre-development flow rates or local detention facilities must be provided. In addition, the plat document must also be revised to provide drainage easements as necessary.

East Boulevard: East Boulevard is located along the east lot line and is classified as a collector street on the City's Major Street Plan requiring that it be located within a minimum 76 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, East Boulevard is located within a 100 foot wide right-of-way and constructed with an approximate 26 foot wide paved surface. Staff recommends that the Preliminary Plat be continued to allow the applicant to submit construction plans showing East Boulevard constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained.

First Street: First Street is located along the north lot line of the property and is classified as a

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Lane Place Street requiring that it be located within a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, First Street is located within a 100 foot wide right-of-way and is a dirt road from Columbus Street to the north lot line of the property.

Staff recommends that the Preliminary Plat be continued to allow the applicant to submit construction plans showing First Street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained.

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 the Preliminary Plat be continued to allow the applicant to submit an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual for review and approval if any subdivision improvements are required.

Labeling: The Preliminary Plat must be revised to show non-access easements in compliance with the Street Design Criteria Manual and to include boundary survey and certification information as required. The Register of Deed's Office has also indicated that the plat title must be revised to show the plat heading as "Addition" not "Subdivision".

Staff recommends that the Preliminary Plat be continued to allow the applicant to submit a revised plat document as identified.

Cost Estimate: To date, a cost estimate for any subdivision improvements has not been submitted for review and approval. Staff recommends that the Preliminary Plat be continued to allow the applicant to submit a cost estimate 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 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.

On July 12, 2011, staff met with the applicant and his consultant(s), to discuss the outstanding issues as identified. The applicant and his consultants indicated that the information would be submitted for review and approval as required or that a Variance to the

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Subdivision Regulations would be obtained.

Staff recommends that the Preliminary Plat be continued to the **November 23, 2011** Planning Commission meeting to allow the applicant to address the outstanding issues as identified above.