

STAFF REPORT

February 6, 2003

No. 02PL115 - Preliminary and Final Plat

ITEM 4

GENERAL INFORMATION:

PETITIONER	Ferber Engineering Company
REQUEST	No. 02PL115 - Preliminary and Final Plat
EXISTING LEGAL DESCRIPTION	Lots 7, 8 and 9 of the Flannery Subdivision No. 2 located in the NW1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 7R and 8R of the Flannery Subdivision No. 2 located in the NW1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.23 acres
LOCATION	Northeast of the intersection of Ireland Place and Dublin Court
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 sewer and water
DATE OF APPLICATION	10/24/2002
REPORT BY	Tom Kurtenbach

RECOMMENDATION: **Staff recommends that the Preliminary and Final Plat for Lots 7R and 8R of the Flannery Subdivision No. 2 be approved with the following stipulations:**

Engineering Division Recommendations:

- 1. Prior to Final Plat approval by the City Council, the applicant shall provide documentation of the legal entity that will provide sewer maintenance for the sewer main that has been constructed within the Dublin Court right of way;**
- 2. Prior to Final Plat approval by the City Council, the plat note reading, "Access and Utility Easement" along Dublin Court shall be eliminated;**
- 3. Prior to Final Plat approval by the City Council, Plat Note Number 2 shall read, "Eight foot wide utility and drainage easement on interior side of all lot lines";**

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Fire Department Recommendations:

4. **Prior to Final Plat approval by the City Council, a Wildland Fire Mitigation Plan shall be submitted for review and approval;**
5. **Prior to Final Plat approval by the City Council, the Fire Department Access Easement shall remain as previously platted, or an alternative emergency vehicle access easement shall be submitted for review and approval;**
6. **Prior to Final Plat approval by the City Council, a note shall be placed on the plat stating, "If driveway or street grades exceed 16 percent, then fire sprinklers shall be required for all residences";**

Urban Planning Division Recommendations:

7. **Prior to Final Plat approval by the City Council, the applicant shall record the approved Dublin Court right of way vacation document with the Pennington County Register of Deeds;**
8. **Prior to Final Plat approval by the City Council, a subdivision estimate form for the unfinished subdivision improvements shall be submitted for review and approval; and,**
9. **Prior to Final Plat approval by the City Council, surety for the unfinished improvements shall be posted and the subdivision inspection fees shall be paid.**

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This item was continued from the January 23, 2003 Planning Commission meeting. On January 23, 2003, the applicant's agent submitted a revised plat and a signed vacation of right of way petition for Staff review. The applicant is proposing to replat three lots into two lots and vacate the Dublin Court right-of-way. The original subdivision, which was platted in 1999, consisted of 13 lots. In 1999, the City Council approved a Special Exception to the Street Design Criteria Manual to allow a cul-de-sac longer than five hundred (500) feet in a Moderate/High Wild Land Fire Hazard Area with the condition that an emergency access be provided to Skyview Drive and that an assessment project be approved to extend sanitary sewer from Park Drive to the subject property in the Corral Drive right-of-way. The street improvements for Ireland Place, including private and public utilities, have been completed.

STAFF REVIEW: Staff has reviewed the request and noted the following considerations:

Sanitary Sewer: The Lot 7R sewer service line fronts along Ireland Place. The Engineering Division has noted that an eight inch sanitary sewer main and a manhole have been constructed within the existing Dublin Court right of way and that a service line has been stubbed into the sewer main to provide service to an adjacent property. The Engineering Division has noted that once the Dublin Court right of way is vacated, the existing sanitary sewer main will serve as a service line and become the responsibility of the applicant. Staff is recommending that the applicant provide a sanitary sewer maintenance agreement identifying the responsible party for the maintenance of the sanitary sewer line located in Dublin Court. **On January 23, 2003, the applicant's agent contacted Staff from the City Attorney's Office regarding the sanitary sewer maintenance agreement. Staff indicated that a similar agreement is being drafted for another project, and that agreement document will be used as a template in developing the agreement for this project.**

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Access and Utility Easement: **The plat submitted on October 24, 2002 by the applicant's agent** shows an access and utility easement located in the area of the Dublin Court right of way proposed for vacation. If the applicant intends for this to be an access easement, then the access street must be constructed to City standards. Additionally, since the existing eight inch sanitary sewer main is located on proposed Lot 8R, a utility easement is unnecessary. **The revised plat submitted on January 23, 2003 identified that this access and utility easement was eliminated.** The sewer line will serve as a service line to proposed Lot 8R. Prior to Final Plat approval by the City Council, Staff recommends that the applicant provide documentation of the legal entity that will provide sewer maintenance for this service line to proposed Lot 8R.

Dublin Court Vacation: The Dublin Court right of way is proposed for vacation with this plat. **Prior to January 23, 2003, the vacation petition was not complete with the required signatures. On January 23, 2003, the applicant's agent submitted a completed vacation of right of way petition with the required signatures for Staff review. Property owner signatures for Lots 7, 8, and 9 located north and east of Dublin Court, and Lots 6 and Lot A of Lot 7 located south of Dublin Court are represented on the vacation petition. Prior to Final Plat approval by the City Council, the applicant shall record the approved Dublin Court right of way vacation document with the Pennington County Register of Deeds.**

Fire Department: The applicant submitted two conflicting 8.5 inch by 11 inch documents regarding the vacation of the Fire Department Access Easement on proposed Lot 8R. The Fire Department has noted that the Fire Department Access Easement shown on proposed Lot 8R shall remain as previously platted, or an alternative emergency vehicle access easement must be identified and approved. Additionally, the Fire Department has recommended that access to proposed Lot 8R shall comply with the requirements of the Rapid City Street Design Criteria Manual.

The applicant has performed wildland mitigation activities at the subject property. **The applicant also has contacted the Rapid City Fire Department regarding a Wildland Fire Mitigation Plan.** Staff recommends that prior to Final Plat approval by the City Council, a Wildland Fire Mitigation Plan shall be submitted for review and approval **by the Rapid City Fire Department.**