

STAFF REPORT
October 27, 2005

No. 05PL090 - Preliminary Plat

ITEM 7

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Doeck, L.L.C.
REQUEST	No. 05PL090 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of the NE1/4 of the SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 15 acres
LOCATION	Adjacent to West Nike Road
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District (Planned Residential Development)
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
DATE OF APPLICATION	5/13/2005
REVIEWED BY	Todd Tucker / Dave Johnson / Marcia Elkins

RECOMMENDATION:

Staff recommends approval of the Preliminary Plat with the following stipulations:

- 1) Prior to City Council approval of the Preliminary Plat, the applicant shall revise the plat to insure that no residential lot shall have a lot length greater than twice the width or a Subdivision Variance shall have been obtained;**
- 2) Prior to City Council approval of the Preliminary Plat, the applicant shall revise the plat and the related construction drawings to insure that all rights-of-way and public improvements comply with the City standards or the applicant shall obtain a Subdivision Variance;**
- 3) Upon Final Plat submittal, the H-Lot along the eastern subdivision boundary shall be recorded and a copy of the recorded deed shall be submitted transferring ownership to the City of Rapid City;**
- 4) Upon Final Plat submittal, the plat shall be revised to identify an access restriction on Lots 24,52,57 and 62;**
- 5) Upon Final Plat submittal, block numbers acceptable to the Pennington County Register of Deeds shall be shown on the plat document;**
- 6) Upon Final Plat submittal, the applicant shall submit executed agreements with the City or other entities as applicable, defining financing, cost share agreements, schedules, construction and operation responsibilities, and other relevant details to insure the construction of a sewage lift station or other off-premise sanitary sewer**

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improvements that are necessary to provide service prior to occupancy of any structures;

- 7) Prior to Preliminary Plat approval by the City Council, a subdivision improvements estimate shall be submitted for review and approval; and,
- 8) 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.

GENERAL COMMENTS: (October 21, 2005 Update) The applicant has submitted an additional Subdivision Variance (05SV065) to address the remaining issues related to this Preliminary Plat. That Variance along with a previously submitted Subdivision Variance (05SV033) will be considered at the October 27, 2005 Planning Commission meeting. This will allow the Planning Commission to act on this Preliminary Plat in conjunction with the associated subdivision variances.

Revised construction plans have been submitted, reviewed and approved. A few minor items will need to be resolved prior to Final Plat approval. Staff is recommending approval of the Preliminary Plat with stipulations as noted above. (No other portion of this staff report has been revised.)

(October 5, 2005) Staff met with the applicant to resolve the outstanding issues relative to this request. An additional subdivision variance has been filed and will be considered at the October 27, 2005 Planning Commission. Staff is recommending that the request be continued to the October 27, 2005 Planning Commission to allow both Subdivision Variances and the Preliminary Plat to be considered together.

(September 16, 2005 Update) Staff will be meeting with the applicant prior to the September 22, 2005 Planning Commission meeting. If the request can move forward, based on those discussions, staff will inform the Planning Commission at that time.

(September 2, 2005 Update) This item was continued to the September 8, 2005 Planning Commission meeting to allow consideration of the acquisition of right-of-way via an H-Lot and consideration of a Subdivision Variance. Those items will be considered by the City Council on September 6, 2005. Staff is recommending that this item be continued to the September 22, 2005 Planning Commission meeting to allow the applicant to determine what additional issues must be addressed based on the outcome of the City Council's actions on September 6, 2005.

(July 26, 2005 Update) This item was continued at the July 21, 2005 Planning Commission meeting to allow it to be heard in conjunction with the annexation request and to allow the applicant time to submit the necessary variance requests and additional information. Staff noted that the annexation request was approved at the July 21, 2005 Planning Commission meeting. However, the necessary variance requests and other additional information have not been submitted as of this writing. As such, staff is recommending that this item be continued to the September 8, 2005 Planning Commission meeting to allow the applicant time to make the necessary revisions to the plat and to submit the additional required information.

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(July 9, 2005 Update) This item was continued at the July 7, 2005 Planning Commission meeting to allow it to be heard in conjunction with the annexation request and to allow the applicant time to submit the necessary variance requests and additional information. Staff noted that they are recommending approval of the associated annexation request also on the July 21, 2005 Planning Commission agenda. However, the applicant has not submitted the required additional information regarding the Preliminary Plat or the necessary Subdivision Variance.

(This staff report was modified on June 27, 2005. All revised information is shown in bold.) This item was continued at the June 9, 2005 Planning Commission meeting to allow it to be heard in conjunction with the annexation request and to allow the applicant time to submit the necessary variance requests and additional information. Staff noted that the annexation request is being recommended to be continued to the July 21, 2005 Planning Commission meeting. As such, staff is recommending that the Preliminary Plat be continued to the July 21, 2005 Planning Commission meeting. Staff also noted that no additional information regarding the Preliminary Plat or the necessary Subdivision Variance has been submitted.

The applicant has submitted a Preliminary Plat to subdivide approximately 15 acres into 56 residential lots. The proposed development is Phase I of Brookfield Subdivision. The subject property is located northeast of the Rapid City limits off Haines Avenue near the Mallridge and Northbrook Village Subdivisions. Currently there are no structures on the property. On April 4, 2005, the City Council approved a Layout Plat (05PL035) for the subject property. The applicant has also submitted a Variance to the Subdivision Regulations to allow lots twice as long as they are wide and to waive the requirement to install sidewalk on Cobalt Drive and to waive the requirement to install street light conduit on Cobalt Drive, Adonia Lane, Wisteria Court and Three Rivers Drive.

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

Annexation: The subject property is located adjacent to the City limits of the City of Rapid City. As such, the property must be annexed into the City limits. As of this writing, the applicant has not submitted a petition to annex the subject property into the City of Rapid City, As such, staff is recommending that the Preliminary Plat be continued to the July 7, 2005 Planning Commission meeting to allow the Preliminary Plat to be heard in conjunction with the annexation request.

On June 10, 2005, the applicant submitted an annexation request for the subject property. However, staff is recommending that the request be continued to the July 21, 2005 Planning Commission meeting. As such, staff is recommending that the Preliminary Plat be continued to the July 21, 2005 Planning Commission meeting so the two items can be heard in conjunction.

As previously indicated, staff is recommending approval of the associated annexation request also located on the July 21, 2005 Planning Commission agenda.

On July 21, 2005 the Planning Commission approved the annexation of the subject property into the City of Rapid City.

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Air Quality Permit: Staff noted that the subject property is greater than one acre in size. As such, an Air Quality Permit must be obtained.

Lot Dimensions: The majority of the proposed lots located within the proposed subdivision have a length greater than twice the width. Section 16.12.190 of the Rapid City Municipal Code requires that residential lots having a width of not more than 150 feet shall have a lot length not greater than twice the width. As such, the Preliminary Plat must be revised to show the lots in conformance with the Subdivision Regulations or a Variance to the Subdivision Regulations must be obtained. Staff noted that a Variance to the Subdivision Regulations (05SV033) to allow lots twice as long as they are wide has been submitted.

Section Line Highway: An unimproved section line highway is located along the east lot line of the subject property. The section line highway must be constructed as per the City Street Design Criteria Manual with a minimum 27-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. As such, the adjacent property owner must participate in the platting of the east half of the section line right-of-way or a Variance to the Subdivision Regulations to allow platting half a right-of-way must be obtained. The Pennington County Board of Commissioners must review and approve a request to open that portion of the section line highway located outside of the City limits prior to Preliminary Plat approval. As such, staff is recommending that the Preliminary Plat be continued to the July 7, 2005 Planning Commission meeting to allow the applicant to address this issue by either submitting the required variance or identifying the dedication of the full right-of-way.

As of this writing, the applicant has not submitted the necessary variance request or revised plat showing the full dedication of the section line highway.

Road Plans: Staff noted that road construction plans for the proposed subdivision have been submitted. In particular, the proposed rights-of-way must be shown with the proper pavement widths with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk on Cobalt Drive and to waive the requirement to install street light conduit on Cobalt Drive, Adonia Lane, Wisteria Court and Three Rivers Drive.

Staff noted that the right-of-way widths shown on the Preliminary Plat do not indicate that all streets located within the development will not allow for on-street parking. As such, staff has concerns that the road network for a development of this size will not support streets without on-street parking. The applicant must revise the street width on the plat to accommodate on-street parking on all streets or provide a minimum of one stall per dwelling within 300 feet of each residence as per the Street Design Criteria Manual or obtain an exception to the Street Design Criteria Manual. Staff is also recommending that "No Parking" and other appropriate signs be installed if the street widths are not adjusted to allow for on-street parking. Staff also noted that the applicant must submit a geotechnical engineering data and recommendations for pavement thickness design for the proposed streets within the subdivision.

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As of this writing, the applicant has not submitted the required information regarding the street width or the geotechnical report.

Staff also noted that the required non-access easements on the corner lots were not identified on the submitted plat. As such, a revised Preliminary Plat must be submitted showing the required non-access easements located on lots 24, 52, 57 and 61.

As of this writing, the applicant has not submitted a revised plat showing the required non-access easements.

Block Numbers: The Pennington County Register of Deeds staff noted that no block numbers were identified on the Preliminary Plat. As such, a revised Preliminary Plat must be submitted with block numbers located on the plat where they are needed.

As of this writing, the applicant has not submitted a revised plat showing the required block numbers.

Water and Sewer: The developer has presented flow calculations based on a flow test taken at an upstream fire hydrant in March of 2005. At the time of that test, there were many recently platted but still undeveloped residential lots in the area served by the single 12" water main in Haines Avenue that will also supply the proposed subdivision. Since the date of the flow test, final plats have been approved by the City for additional lots in the service area, including in the Auburn Hills, CHMH, and Rainbow Ridge subdivisions. The flow calculations also need to account for flows available on a "peak day", which typically occurs in residential areas in the summer during periods of irrigation use and were therefore not reflected in the flow test. Prior to Preliminary Plat approval by the City Council, the applicant shall provide analysis of water supply to demonstrate adequate capacity under peak flow conditions given the existing level of permitted development served from the water supply system.

As of this writing, the applicant has not submitted the required water supply analysis.

Staff noted that the Preliminary Plat does not show the extension of the force main through the subdivision. Prior to Preliminary Plat approval by the Planning Commission, plans for wastewater collection and treatment system improvements must be submitted for review and approval. In particular, the plans shall include the installation of any sanitary sewer force main components that may be located within the subdivision extending from the existing force main at the intersection of Viking Drive and Three Rivers Drive.

On June 22, 2005, the staff met with the applicant to discuss the sanitary sewer force main through the subject property. However, as of this writing, the applicant has not submitted any revised drawings for the wastewater collection and treatment system improvements.

As of this writing, the applicant has not submitted any revised drawings for the wastewater collection and treatment system improvements.

Drainage: Prior to submittal of a Final Plat, the plat document must be revised to indicate the minimum floor elevations for structures located on the lots east of Three Rivers Drive and on

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the west side of Adonia Drive.

Red Line Comments: Staff noted that red line comments addressing required revisions and changes have been made on the Preliminary Plat and construction plans. Staff noted that the comments must be addressed and the red lined drawings must be returned prior to Preliminary Plat approval by the City Council.

As of this writing, the applicant has not addressed or returned the red lined drawings.

Fire: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a Building Permit and/or any construction on the site using combustible material(s) or a Variance to the Subdivision Regulations must be obtained. In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access.

Cost/Financing: Prior to City Council approval of a Final Plat, the applicant shall submit executed agreements with the City or other entities as applicable, define financing, cost share agreements, schedules, construction and operation responsibilities, and other relevant details to insure the construction of a sewage lift station or other off-premise sanitary sewer improvements that will be completed as necessary to provide service prior to occupancy of any structures. Staff also noted that the applicant must provide a cost estimate for the required subdivision improvements prior to Preliminary Plat approval by the City Council.

Staff is recommending that the Preliminary Plat be continued to the October 6, 2005 Planning Commission meeting to allow the applicant time to submit the necessary variance requests and additional information.