

STAFF REPORT  
October 5, 2006

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**No. 06PL151 - Preliminary Plat**

**ITEM 16**

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GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for Signature Development
REQUEST	<b>No. 06PL151 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	A portion of the E1/2 NW1/4 SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.783 acres
LOCATION	North and east of the intersection of Catron Boulevard and Golden Eagle Drive
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Public District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water with interim on-site wastewater
DATE OF APPLICATION	9/8/2006
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Growth Management Department;
2. Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations 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;
3. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
4. Prior to submittal of a Final Plat application, the applicant shall enter into an agreement to abandon the on-site wastewater systems in compliance with the South Dakota Department of Environment and Natural Resources requirements and to connect to the City sewer system when it becomes available within 500 feet of the property;
5. Prior to submittal of a Final Plat application, a note shall be placed on the plat stating that "prior to issuance of a building permit for Lot 5, Block 1, a fire apparatus turnaround in

STAFF REPORT  
October 5, 2006

---

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**ITEM 16**

---

6. compliance with the International Fire Code shall be provided on Lot 5"; Upon submittal of a Final Plat application, the applicant shall submit a signed waiver of right to protest any future assessment document for the installation of curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Golden Eagle Drive as it abuts the south lot line of Lot 1, Block 2; and,
7. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been designed and completed shall be posted and the subdivision inspection fees shall be paid.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Plat to subdivide eight lots into 11 lots as a part of the Villagio at Golden Eagle Subdivision. In addition, the applicant has submitted a Variance to the Subdivision Regulations to allow a lot twice as long as it is wide. (See companion item #06SV061.)

On June 5, 2006, the City Council approved a Preliminary Plat to subdivide the subject property into 21 residential lots. To date, the applicant has not submitted a Final Plat for these 21 lots. The Preliminary Plat proposes to replat eight of the lots. The balance of the lots will remain the same as shown on the original Preliminary Plat.

The City Council has also approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Golden Eagle Drive as it abuts the south lot line of Lot 1, Block 2 with the stipulation that prior to Final Plat approval, a waiver of right to protest any future assessment for the improvements be signed. (To date, a Final Plat has not been submitted nor has the waiver of right to protest document been signed.) The City Council also approved a Variance to the Subdivision Regulations to waive the requirement to install sewer along Golden Eagle Drive as it extends south from the subject property to Catron Boulevard. In addition, the City Council denied a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the right-of-way/easement width from 45 feet to 20 feet along a proposed 20 foot wide access easement.

On February 6, 2006, the City Council approved a Layout Plat to subdivide the subject property into 20 residential lots. In addition, the City Council denied a Variance to the Subdivision Regulations to waive the requirement to install dry sewer. The City Council also approved a Comprehensive Plan Amendment to the Major Street Plan to relocate a portion of Golden Eagle Drive, a collector street, approximately 200 feet east of its current location. In addition, the City Council approved a Comprehensive Plan Amendment to the U.S. Highway 16 Neighborhood Area Future Land Use Plan to change the designation of the subject property from a Planned Residential Development with a maximum density of 1 dwelling unit per acre to a Planned Residential Development with a maximum density of 2.5 dwelling units per acre. The property has subsequently been rezoned from General Agriculture District to Low Density Residential District. In addition, a Planned Development Designation has been approved for the subject property.

On September 21, 2006, the Planning Commission recommended approval of Tax Increment District #61 to extend sewer along Catron Boulevard and a portion of Golden

STAFF REPORT  
October 5, 2006

---

**No. 06PL151 - Preliminary Plat**

**ITEM 16**

---

Eagle Drive, to construct a lift station and to construct a portion of Golden Eagle Drive and Vineyard Lane. The City Council will consider this item at their October 2, 2006 City Council meeting. The applicant has submitted this Preliminary Plat to increase the density of Villagio at Golden Eagle by three lots since City sewer is being extended to the site.

The property is located approximately 500 feet north of Catron Boulevard along Golden Eagle Drive. Currently, the property is void of any structural development.

**STAFF REVIEW:**

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

**Zoning:** As noted above, the property is currently zoned Low Density Residential District with a Planned Development Designation. The applicant should be aware that prior to issuance of a building permit, an Initial and Final Residential Development Plan must be obtained.

**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 two of the lots will have a length twice the distance of the width. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations 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.

**Redlined Comments:** The construction plans for the proposed streets were previously reviewed and approved as a part of the first Preliminary Plat approved for the subject property. However, staff is recommending that the construction plans be revised to reflect the alternate lot layout shown on this Preliminary Plat. In particular, the water and sewer service lines and private utility service taps must be adjusted as needed. Staff is recommending that prior to Preliminary Plat approval by the City Council, all necessary changes be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings must be returned to the Growth Management Department.

**Sewer:** The applicant has indicated that City sewer will be extended east along Catron Boulevard and north along Golden Eagle Drive to serve the subject property. As noted above, on September 21, 2006, the Planning Commission recommended approval of Tax Increment District #61 to extend sewer along Catron Boulevard and a portion of Golden Eagle Drive, to construct a lift station and to construct a portion of Golden Eagle Drive and Vineyard Lane. The City Council will consider this item at their October 2, 2006 City Council meeting. (Upon approval, Tax Increment District #61 may serve as surety for this portion of the sewer improvement(s) needed to serve the subject property.)

The applicant has indicated that individual on-site wastewater systems may be proposed on each lot until the construction of City sewer as identified is complete. The applicant should be aware that prior to issuance of a building permit, an individual on-site wastewater treatment systems permit must be obtained for each lot. In particular, depth of soil, type of soil, location and capacity of all septic tanks proposed, location and results of percolation test(s) demonstrating that the soils are suitable for on-site wastewater treatment systems and location and length of drainfield pipes must be submitted for review and approval. In

STAFF REPORT  
October 5, 2006

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**No. 06PL151 - Preliminary Plat**

**ITEM 16**

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addition, the on-site wastewater systems must be designed to facilitate the connection to a central sewer system when it becomes available. Subsequently, staff is recommending that prior to submittal of a Final Plat application, the applicant enter into an agreement to abandon the on-site wastewater systems in compliance with the South Dakota Department of Environment and Natural Resources requirements and to connect to the City sewer system when it becomes available within 500 feet of the property.

Waiver of Right to Protest Document: As previously indicated, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Golden Eagle Drive as it abuts the south lot line of Lot 1, Block 2 with the stipulation that prior to Final Plat approval, a waiver of right to protest any future assessment for the improvements be signed. To date, a Final Plat has not been submitted nor has the waiver of right to protest document been signed. Staff is recommending that upon submittal of a Final Plat application, the applicant submit a signed waiver of right to protest document as previously required as a stipulation of approval of an associated Variance to the Subdivision Regulations request.

Fire Turnaround: The Preliminary Plat identifies Lot 5, Block 1 as a flagpole lot resulting in a driveway length in excess of 150 feet. As such, the applicant should be aware that upon submittal of a building permit, a site plan must be submitted for review and approval providing a fire apparatus turnaround on Lot 5, Block 1. In addition, a note must be placed on the plat stating that prior to issuance of a building permit for Lot 5, Block 1, a fire apparatus turnaround in compliance with the International Fire Code shall be provided on Lot 5, Block 1.

Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.