

STAFF REPORT
November 8, 2007

No. 07PL142 - Preliminary Plat

ITEM 10

GENERAL INFORMATION:

APPLICANT	Mark and Jana Koupal
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Mark and Jana Koupal
REQUEST	No. 07PL142 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The SW1/4 SW1/4 and the S1/2 S1/2 NW1/4 SW1/4, Section 14, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Plat of Lots 1 and 2 of Koupal Estates Subdivision, located in the SW1/4 SW1/4 and the S1/2 S1/2 NW1/4 SW1/4, Section 14, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 50.00 acres
LOCATION	32774 Wallace Street
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	General Agriculture District - Planned Unit Development (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	10/12/2007
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, the adjacent property owners shall participate in the platting of the west half and the south half of the section line highways or a Variance to the Subdivision Regulations shall be obtained to allow platting half a right-of-way or the section line highways shall be vacated;

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2. Prior to Preliminary Plat approval by the City Council, water information identifying the existing available flows of the existing well located on proposed Lot 1 shall be submitted for review and approval;
3. Prior to any construction within the section line highway(s), the applicant shall request the County Board of Commission to open the section line highway(s);
4. 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; and,
5. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide two deeded parcels into two platted lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #07SV060) to allow platting half of a right-of-way along a section line highway located along the west and south lot lines of the property, respectively.

On July 16, 2007, the City Council approved a Layout Plat (#07PL060) to create the two lots as shown on this Preliminary Plat. In addition, a Variance to the Subdivision Regulations was approved to waive the requirement to construct curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Wallace Street and the abutting section line highways with the following stipulations:

1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvements;
2. Marie Lane, Roland Drive and Wallace Street shall be improved as needed to insure that a minimum 20 foot wide graveled access road is being provided to serve as access from Neck Yoke Road to the subject property. In addition, the construction plans shall identify the construction of a permanent turnaround at the end of Wallace Street with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter graveled surface; and,
3. The plat document shall be revised to show the dedication of a 33 foot wide right-of-way along the west and south lot lines, respectively, for that portion of the section line highway(s) located on the subject property.

The subject property is located east of Neck Yoke Road, at the southern terminus of Wallace Street. Currently, a residence, garage and three sheds are located on proposed Lot 1. Proposed Lot 2 is currently void of any structural development.

STAFF REVIEW:

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

Section Line Highways: A section line highway is located along the west lot line and the south lot line of the subject property, respectively. The plat document currently shows the dedication of right-of-way for that portion of the section line highways located on the applicant's property. However, the west half and the south half of the section line highways are located on adjacent properties under different ownership than the property. The Subdivision Regulations state that "...where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half shall be platted. No new half-streets

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shall be permitted". As such, the adjacent property owners must participate in the platting of the west half and the south half of the section line highways or a Variance to the Subdivision Regulations must be obtained to allow platting half a right-of-way or the section line highways must be vacated.

Water: Currently, a well is located on proposed Lot 1 to serve the single family residence located on the lot. The applicant has indicated that a separate individual well will be established on proposed Lot 2 to serve any development of that lot. Staff is recommending that prior to Preliminary Plat approval by the City Council, water information identifying the existing available flows of the existing well located on proposed Lot 1 be submitted for review and approval.

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 required by 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 addition, 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 the public improvements, a warranty surety be submitted for review and approval as required.

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