

STAFF REPORT
March 6, 2008

No. 08PL001 - Preliminary Plat

ITEM 46

GENERAL INFORMATION:

APPLICANT	Duane Hosek
AGENT	Black Hills Surveying
PROPERTY OWNER	Duane Hosek
REQUEST	No. 08PL001 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	All of Block 24 of Mahoney Addition, less the west 25 feet, less the south eight and one half feet and the east eight and one half feet, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Hosek Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.37 acres
LOCATION	1509 Midway
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District - Medium Density Residential District
South:	Low Density Residential District
East:	Medium Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/11/2008
REVIEWED BY	Travis Tegethoff / 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, a revised plat document shall be submitted for review and approval identifying the required non-access easement;**
- 2. Prior to City Council approval of a Preliminary Plat application, construction plans for the sidewalk on Midway Street shall be submitted for review and approval as identified and Midway Street shall be signed as No Parking or a**

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- Variance to the Subdivision Regulations shall be obtained;**
3. **Prior to City Council approval of a Preliminary Plat application, road construction plans for Patton Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to dedicate one additional foot of right-of-way or a Variance to the Subdivision Regulations must be obtained;**
 4. **Prior to City Council approval of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
 5. **Prior to submittal of a Final Plat application, any structures encroaching into adjacent street right-of-way must be removed or the right-of-way must be vacated**
 6. **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,**
 7. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval.**

GENERAL COMMENTS: (Update February 26, 2008. All revised text is shown in bold.)

This item was continued to the March 6, 2008 Planning Commission meeting to allow the applicant to submit the required information. On February 18, 2008, the applicant submitted the required information.

The applicant has submitted a Preliminary Plat to subdivide the property into two 0.18 acre parcels. The applicant has also submitted a request for a Variance to the Subdivision Regulations in conjunction with the Preliminary Plat application. (See companion item #08SV001.)

The property is located northwest of the intersection of Patton Street and Midway Street. Currently, a single family residence and accessory structures are located on the property.

On November 5, 2007 City Council approved a Layout Plat for the property with the following stipulations:

1. Upon submittal of a Preliminary Plat application, a site plan prepared by a Registered Surveyor or Registered Professional Engineer must be submitted for review and approval demonstrating the existing structures do not encroach into the street right-of-way;
2. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;
3. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. If on-site detention is required, then design calculations and details for the detention shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary;
4. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines

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- be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the sewer plans must demonstrate adequate capacity of the downstream wastewater system;
5. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the water system shall be constructed and designed to provide adequate fire and domestic flows;
 6. Upon submittal of a Preliminary Plat application, road construction plans for Midway Street shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 7. Upon submittal of a Preliminary Plat application, road construction plans for Patton Street shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 8. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 9. Prior to submittal of a Final Plat application, any structures encroaching into adjacent street right-of-way must be removed or the right-of-way must be vacated
 10. 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,
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval.

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

Non-access Easement: The Rapid City Street Design Criteria Manual requires separation between street intersections and driveways. Staff has determined that a 50 foot by 50 foot non-access easement is needed at the corner of Patton Street and Midway Street. Staff recommends that prior to Preliminary Plat approval by the City Council, a revised plat document shall be submitted for review and approval identifying the required non-access easement.

Site Plan: A site plan was submitted identifying the location of the existing single family residence on the property. However, a complete site plan identifying all structures and existing utilities must be submitted for review and approval. Staff recommends that prior to Preliminary Plat approval by Planning Commission, a revised site plan shall be submitted for review and approval identifying the location of the existing structures and existing utilities.

On February 18, 2008, the applicant submitted a revised site plan identifying the location of the existing structures and existing utilities. The revised site plan appears to meet the minimum requirements of the Rapid City Municipal Code.

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Sewer: There is an existing eight inch sewer main in Patton Street and Midway Street adjacent to the property. However, the applicant has not shown the locations of the existing and proposed sewer service lines. Staff recommends that prior to Preliminary Plat approval by Planning Commission, a revised site plan shall be submitted for review and approval identifying the location of the existing and proposed sewer services lines.

On February 18, 2008, the applicant submitted a revised site plan identifying the location of the existing and proposed sewer service lines. The existing and proposed sewer service lines appear to meet the minimum requirements of the Rapid City Municipal Code.

Water: There is an existing six inch water main in Patton Street and Midway Street adjacent to the property. However, the applicant has not shown the locations of the existing and proposed water service lines. Staff recommends that prior to Preliminary Plat approval by Planning Commission, a revised site plan shall be submitted for review and approval identifying the location of the existing and proposed water services lines.

On February 18, 2008, the applicant submitted a revised site plan identifying the location of the existing and proposed water service lines. The existing and proposed water service lines appear to meet the minimum requirements of the Rapid City Municipal Code.

Driveway Locations: The site plan identifies two driveway locations on the site plan. The Driveway along Midway Street appears to be centered between the proposed lots. Staff noted the proposed location of the driveway along Midway Street would require an easement for a shared approach to be placed on the plat and an Exception to the Rapid City Street Design Criteria Manual would need to be obtained to allow more than one approach to a residential lot for proposed Lot 2. Staff recommends that prior to Planning Commission approval of the Preliminary Plat application a revised plat document be submitted for review and approval and a Special Exception be obtained or the plat document must be revised to provide one driveway for each lot.

On February 18, 2008, the applicant submitted a revised plat document providing one driveway for each lot. The revised plat appears to meet the minimum requirements of the Rapid City Street Design Criteria Manual.

Midway Street: Midway Street is identified as a sub-collector street and must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Midway Street is constructed with a 24 foot wide paved surface, curb, gutter, street light conduit, sewer and water. However, the location of existing and proposed right-of-way widths as required per Section 16.20.0409(1)(2) was not indicated on the plat document. Staff recommends that prior to City Council approval of a Preliminary Plat application, road construction plans for Midway Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. In addition, staff recommends that prior to Planning Commission approval of the Preliminary Plat application, a revised plat document shall be submitted for review and approval demonstrating the location of all

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existing and proposed right-of-way widths in compliance with the City Ordinance. In addition, the plat document must be revised to show the minimum required right-of-way widths or a Variance to the Subdivision Regulations must be obtained.

Midway Street is identified as a sub-collector street and must be located in a minimum 47 foot wide right-of-way and constructed with a minimum 22 foot wide paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, sewer and water. On February 18, 2008, the applicant proved revised plans demonstrating that Midway Street is located in 50 foot wide right-of-way constructed with a 24 foot wide paved surface, curb, gutter, street light conduit, sewer and water and terminates at the intersection of Lindbergh Avenue and Midway Street. Midway Street meets the minimum requirements for a sub-collector street with no on-street parking.

Staff recommends that prior to City Council approval of a Preliminary Plat application, construction plans for the sidewalk on Midway Street shall be submitted for review and approval as identified and Midway Street shall be signed as No Parking or a Variance to the Subdivision Regulations shall be obtained.

Patton Street: Patton Street is identified as a sub-collector street and must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface **with parking**, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Patton Street is constructed with a 24 foot wide paved surface, curb, gutter, street light conduit, sewer and water. However, the location of existing and proposed right-of-way widths as required per Section 16.20.0409(l)(2) was not indicated on the plat document. Staff recommends that prior to City Council approval of a Preliminary Plat application, road construction plans for Patton Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. In addition, staff recommends that prior to Planning Commission approval of the Preliminary Plat application, a revised plat document shall be submitted for review and approval demonstrating the location of all existing and proposed right-of-way widths in compliance with the City Ordinance. In addition, the plat document must be revised to show the minimum required right-of-way widths or a Variance to the Subdivision Regulations must be obtained.

On February 18, 2008 the applicant submitted a revised plat document demonstrating that Patton Street is located in 50 foot wide right-of-way. However, 52 feet of right-of-way is required for a sub-collector street with on-street parking. The applicant is required to dedicate their half of the right-of-way which requires one additional foot of right-of-way. Staff recommends that prior to City Council approval of a Preliminary Plat application, road construction plans for Patton Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to dedicate one additional foot of right-of-way or a Variance to the Subdivision Regulations must be obtained.

Building Envelope: The subject property is zoned Low Density Residential District. Chapter 17.10.050 of the Rapid City Municipal Code requires a lot area of not less than 6,500 square feet for each single-family dwelling. Each of the proposed lots meets the minimum lot area

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requirements for a single-family dwelling. However, it appears that it would be difficult to meet the setback requirements of the Low Density Residential District for the proposed lot on the corner of Midway Street and Patton Street. As such, staff is recommending that prior to Planning Commission approval of the Preliminary Plat application, a site plan shall be submitted for review and approval demonstrating the building envelope for the proposed Lot 2 meets the minimum setback requirements for the Low Density Residential District or revise the plat document to comply with the setback requirements of the Rapid City Municipal Code.

On February 18, 2008, the applicant submitted a revised site plan demonstrating that the building envelope for the proposed Lot 2 meets the minimum setback requirements for the Low Density Residential District.

Staff recommends that the Preliminary Plat be continued to the February 21, 2008 Planning Commission meeting to allow the applicant to submit the required information.

Staff recommends that the Preliminary Plat be approved with the above stated stipulations.