

STAFF REPORT
March 27, 2008

No. 08PL024 - Preliminary Plat

ITEM 35

GENERAL INFORMATION:

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| APPLICANT | Ralph and Sylvia Vojta |
| AGENT | Britton Engineering & Land Surveying, Inc. |
| PROPERTY OWNER | Sylvia Vojta and Fred L. Nielsen |
| REQUEST | No. 08PL024 - Preliminary Plat |
| EXISTING LEGAL DESCRIPTION | Lots 14 and 15 of Block 2 of Highland Hills Subdivision, located in the NE1/4 of the SE1/4, Section 32, T1N, R7E, BHM, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lots 14R and 15R of Block 2 of Highland Hills Subdivision, located in the NE1/4 of the SE1/4, Section 32, T1N, R7E, BHM, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 3.228 acres |
| LOCATION | 8710 Highland Hill Road |
| EXISTING ZONING | Suburban Residential District (Pennington County) |
| SURROUNDING ZONING | |
| North: | Suburban Residential District (Pennington County) |
| South: | Suburban Residential District (Pennington County) |
| East: | Suburban Residential District (Pennington County) |
| West: | Suburban Residential District (Pennington County) |
| PUBLIC UTILITIES | Private water and sewer |
| DATE OF APPLICATION | 2/22/2008 |
| REVIEWED BY | Travis Tegethoff / Ted Johnson |

RECOMMENDATION:

Staff recommends that the Preliminary Plat be continued to the April 10, 2008 Planning Commission meeting to allow the applicant to submit the required information.

GENERAL COMMENTS: The applicant has submitted a Preliminary Plat application to reconfigure two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#08SV011) to waive the requirement to dedicate additional right-of-way and install pavement, curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code. The property is currently zoned Suburban Residential District in Pennington County and is located north of Highland Hills Road.

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Currently two single family residences are located on the existing lots. The proposed subdivision will not increase the density of development.

On February 4, 2008 City Council approved a Layout Plat (#07PL179) for the property with the following stipulations:

1. Upon submittal of a Preliminary Plat application, information on depth and type of soil, capacity of septic tanks and percolation tests demonstrating that the soils are suitable for on-site wastewater treatment systems must be submitted for review and approval;
2. Upon submittal of a Preliminary Plat application, data to confirm that the well(s) have sufficient domestic flows and water quality must be submitted for review and approval;
3. Upon submittal of a Preliminary Plat application, the applicant shall dedicate an additional sixteen feet of right-of-way and submit construction plans for Highland Hills Road for review and approval or obtain a Variance to the Subdivision Regulations;
4. Upon submittal of a Preliminary Plat application, a Special Exception to allow a cul-de-sac in excess of 1,200 feet and to waive the requirement to provide intermediate turnarounds shall be obtained or the street must be redesigned to comply with the Street Design Criteria Manual;
5. Upon submittal of a Preliminary Plat application, the applicant shall dedicate an additional 19 feet of right-of-way and submit construction plans for the access easement for review and approval or obtain a Variance to the Subdivision Regulations;
6. Upon submittal of a Preliminary Plat application, road construction plans for the section line highway must be submitted for review and approval, or a Variance to the Subdivision Regulations must be obtained, or the portion of the section line highway that abuts the subject property shall be vacated;
7. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
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; and,
9. 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:

Drainage and Utility Easements: The applicant is proposing to vacate an existing utility and drainage easement. However, staff has not received letters from the affected utilities concurring with the proposed vacation. In addition, the easements to be vacated have not been clearly identified. Also, an existing overhead power line appears to cross Lot 14 to serve Lot 15 and is not located within a utility easement. As such, staff recommends that this item be continued to the April 10, 2008 Planning Commission to allow the applicant to notify the affected utility companies and revise the plat document to identify the easements to be vacated and dedicated as part of this plat.

Sewer: The plans indicate existing on-site wastewater treatment systems. However, the location of the drain fields is not indicated on the plans. Staff noted that information on the location of the drain field, depth and type of soil, capacity of septic tanks and percolation

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tests demonstrating that the soils are suitable for on-site wastewater treatment systems must be submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the City Council, the above referenced information be submitted for review and approval.

Water: The applicant indicated that water is provided to the area by the Highland Hills water system. The water system appears to meet the requirements for quality and quantity for domestic flows under the regulations of the South Dakota Department of Environment and Natural Resources. However, the applicant has not identified the locations of the existing water mains and service lines. As such, staff is recommending that prior to Preliminary Plat approval by the City Council the applicant shall submit revised site plans demonstrating the size and location of the existing water mains and service lines for review and approval.

Highland Hills Road: Highland Hills Road is located along the south lot line of the property and is classified as a proposed principal arterial street on the City's Major Street Plan requiring that the street be located in a minimum 100 foot wide right-of-way and constructed to collector street standards with pavement, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Highland Hills Road has a 68 foot wide right-of-way and an approximate 20 foot wide paved surface. As such, staff is recommending that prior to Preliminary Plat approval by the City Council the applicant dedicate an additional sixteen feet of right-of-way and submit construction plans for Highland Hills Road constructed to collector street standards with pavement, curb, gutter, sidewalk, street light conduit, water and sewer for review and approval or obtain a Variance to the Subdivision Regulations.

Exceptions: Staff noted Exceptions to allow a cul-de-sac in excess of 1,200 feet and to waive the requirement to provide intermediate turnarounds were approved for Highland Hills Road since no additional density was occurring as part of this plat.

Access Easement: Currently an access easement is located along the east lot line of the proposed Lot 14R. This street is classified as a lane/place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer. Currently, the street is located in a 30 foot wide easement and an approximate 15 foot wide gravel surface. As such, staff is recommending that prior to Preliminary Plat approval by the City Council the applicant shall dedicate an additional 19 feet of right-of-way and submit construction plans for the access easement for review and approval or obtain a Variance to the Subdivision Regulations. In any case, a minimum 20 foot wide all weather surface is required for emergency vehicle access per the International Fire Code.

Section Line Highway: An unimproved section line highway is located along the east lot line of proposed Lot 15R. The section line highway is classified as a lane/place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer 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 dedicate additional right-of-way and install pavement, curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code. As such, staff is recommending that prior to Preliminary Plat approval by the City Council the applicant

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dedicate the required right-of-way and submit construction plans for the section line highway for review and approval or obtain a Variance to the Subdivision Regulations or vacate the section line highway.

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.

Register of Deeds: Register of Deeds staff noted that the word "Subdivision" was not on the original plat and should be removed from the title. As such, staff recommends that prior to Final Plat approval the applicant shall revise the title to remove the word "Subdivision" from the title.