

STAFF REPORT
October 23, 2008

No. 08PL134 - Preliminary Plat

ITEM 28

GENERAL INFORMATION:

APPLICANT/AGENT	Lyle Bromwich
PROPERTY OWNER	Multiple Property Owners
REQUEST	No. 08PL134 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 1, 2, 4, 5, 6, 7, 9, 12, 13, 16, 17, 18, 19, 20, 21 and Lot 4A of Block 4 of H&H Estates Subdivision, all located in the NW1/4 SE1/4 and the NE1/4 SW1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1R, 2R, 4R, 5R, 6R, 7R, 9R, 12R, 13R, 16R, 17R, 18R, 19R, 20R, 21R and Lot 4A of Block 4 of H&H Estates Subdivision, all located in the NW1/4 SE1/4 and the NE1/4 SW1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.308 acres
LOCATION	South of Hacienda Street, north of Williams Street and west of Plateau Lane
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Planned Unit Development (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	9/26/2008
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Preliminary Plat application 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 red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to Preliminary Plat approval by the City Council, construction plans showing the

No. 08PL134 - Preliminary Plat

ITEM 28

- extension of a sewer main along Hacienda Street to the northeast corner of the property shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, construction plans showing a sidewalk along the west side of Plateau Lane adjacent to proposed Lots 12-R and 13-R shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
 4. Prior to Preliminary Plat approval by the City Council, the structural encroachments located within the existing 10 foot wide minor drainage and utility easements located along the interior lot lines of the existing lots shall be removed or the plat document shall be revised to show the vacation of that portion of the minor drainage and utility easement(s). In addition, drainage information shall be submitted for review and approval to support vacating the easement(s) and written documentation from the affected utility companies shall be submitted showing they concur with the vacation request;
 5. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show a minimum eight foot wide minor drainage and utility easement along the interior of all new lot lines;
 6. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to reconfigure the flagpole located along the rear lot line of proposed Lot 2-R into the adjacent lot(s). In addition, a revised plat document shall be submitted for review and approval;
 7. Prior to submittal of a Final Plat application, the plat document shall be revised removing the "Certificate of Public Works Director" and removing reference to the Public Works Director within the "Certificate of Finance Officer";
 8. Prior to submittal of a Final Plat application, the plat document shall be revised to include the Owner's Certificate for Lot 4A of Block 4;
 9. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval if any subdivision improvements are required;
 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 as required if any subdivision improvements are required.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to replat 16 lots into 15 lots. In particular, the Preliminary Plat proposes to eliminate Lot 4A of Block 4 by incorporating portions of it into 15 existing residential lots lying adjacent to Lot 4A. Lot 4A was originally platted as a "public use area" lying at the rear of the 15 residential lots. Recently, Lot 4A was purchased by one of the adjacent property owners with the intent to incorporate the area into the adjacent lots.

On August 16, 2008, the City Council approved a Layout Plat to replat 17 lots into 15 lots. The Layout Plat included the same 16 lots as shown on this Preliminary Plat and Lot 8. However the property owner of Lot 8 has decided they no longer want to participate in the replat. As such, the Preliminary Plat has been revised to eliminate the inclusion of Lot 8.

STAFF REPORT
October 23, 2008

No. 08PL134 - Preliminary Plat

ITEM 28

The property is located northeast of the intersection of Hacienda Street and Williams Street. Currently, a single family residence and accessory structures are located on each of the 15 residential lots. Lot 4A is void of any structural development.

STAFF REVIEW:

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

Sewer: Currently, a sewer main is located within all of the adjacent street rights-of-way with the exception of approximately 20 feet along Hacienda Street. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, construction plans showing the extension of a sewer main along Hacienda Street to the northeast corner of the property be submitted for review and approval or a Variance to the Subdivision Regulations be obtained.

Sidewalks: To date, a sidewalk has not been constructed along the west side of Plateau Lane adjacent to Lots 12-R and 13-R. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, construction plans showing a sidewalk along this portion of Plateau Lane be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Structural Site Plan: The applicant has submitted a structural site plan showing a portion of four existing structures within previously platted minor drainage and utility easement located along the interior lot line of each lot. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, the existing structural encroachments located within the interior lot line minor drainage and utility easements be removed or that portion of the minor drainage and utility easement(s) must be vacated.

The applicant may vacate the encroached areas of the minor drainage and utility easements on the plat document contingent upon the utility companies concurring with the vacation request and contingent upon drainage information being submitted identifying that those portions of the easements are not needed.

Minor Drainage and Utility Easement: A ten foot wide minor drainage and utility easement currently exists along all interior lot lines of the existing lots. Replatting the property as proposed will require that a minimum eight foot wide minor drainage and utility easement be dedicated along the interior of all new lot lines. The Preliminary Plat currently does not show the eight foot wide minor drainage and utility easement. As such, staff is recommending that prior to City Council approval of the Preliminary Plat, the plat document be revised to show a minimum eight foot wide minor drainage and utility easement along the interior of all new lot lines.

Lot Configuration: Chapter 16.12 of the Rapid City Municipal Code states that irregular shaped lots must be avoided. The Preliminary Plat identifies proposed Lot 2-R with a narrow flagpole extending east along the rear of the property. The lot configuration creates an irregular shaped lot. It appears that portions of the flagpole could be incorporated into the adjacent proposed lots which are also a part of this plat. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the plat document be revised to

STAFF REPORT
October 23, 2008

No. 08PL134 - Preliminary Plat

ITEM 28

reconfigure the flagpole located along the rear lot line of proposed Lot 2-R into the adjacent lot(s). In addition, a revised plat document must 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 the 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 if any subdivision improvements are 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 particular, 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 any public improvements, Warranty Surety be submitted for review and approval if subdivision improvements are required.

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