

STAFF REPORT
June 25, 2009

No. 09PL025 - Layout and Preliminary Plat

ITEM 32

GENERAL INFORMATION:

APPLICANT	Sandra Fredrickson
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Sandra Fredrickson
REQUEST	No. 09PL025 - Layout and Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot G of Tract C of the South Part of Lot 7 of Red Cliff Terrace Subdivision, located in the SW1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Lot G of Tract C of the South Part of Lot 7 of Red Cliff Terrace Subdivision, located in the SW1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.63 acres
LOCATION	4330 Jackson Boulevard
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Flood Hazard District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/29/2009
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the Planning Commission, 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

STAFF REPORT
June 25, 2009

No. 09PL025 - Layout and Preliminary Plat

ITEM 32

- Department;
2. Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval if any subdivision improvements are required;
 3. Prior to Preliminary Plat approval by the City Council, a grading plan shall be submitted for review and approval if any subdivision improvements are required;
 4. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
 5. Prior to Preliminary Plat approval by the City Council, construction plans for Red Cliff Terrace shall be submitted for review and approval showing the easement constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 6. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow service lines to cross another lot or construction plans shall be submitted for review and approval showing the service lines in compliance with the City's Utility Design Standards;
 7. Prior to submittal of a Final Plat application, the shed located on proposed Lot G2 shall be removed or surety posted to insure that the shed is removed and/or to allow a single family residence to be constructed on the property;
 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;
 9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 10. The approved Layout and Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS:

The applicant has submitted a Layout and Preliminary Plat to subdivide the property into two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #09SV013) to waive the requirement to reduce the pavement width from 20 feet to 15 feet, to dedicate additional right-of-way and to install curb, gutter, sidewalk, street light conduit, water and sewer along Red Cliff Terrace, to allow a five foot wide Minor Drainage and Utility Easement along the westerly lot line of proposed Lot 1 in lieu of an eight foot wide easement and to waive the requirement to provide a ten foot wide planting screen easement along Jackson Boulevard.

On December 4, 2006, a Layout Plat (File #06PL179) was approved by the City Council to subdivide the property into two lots. The Layout Plat has since expired. As such, the applicant has submitted this Layout and Preliminary Plat application to subdivide the property as previously proposed.

The property is located approximately 600 feet west of the intersection of Jackson Boulevard and Canyon Lake Drive on the north side of Jackson Boulevard. Currently, a single family residence and a shed are located on proposed Lot G1. In addition, a shed is

STAFF REPORT
June 25, 2009

No. 09PL025 - Layout and Preliminary Plat

ITEM 32

located on proposed Lot G2.

STAFF REVIEW:

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

Structural Development: As mentioned above, a single family residence and two sheds are currently located on the property. As a result of this plat, the single family residence and one shed will be located on proposed Lot G1 and the second shed will be located on proposed Lot G2. However, a shed is only allowed as an accessory structure to a residential structure in the Low Density Residential District. As such, staff is recommending that prior to submittal of a Final Plat application, the shed located on proposed Lot G2 be removed or surety posted to insure that the shed is removed and/or to allow a single family residence to be constructed on the property.

Approach: The plat document identifies a shared approach along Jackson Boulevard to serve as access to the two lots. However, the Street Design Criteria Manual requires that access to proposed Lot G2 be taken from Red Cliff Terrace, the lesser traveled street. As such, the applicant has obtained an Exception to allow access from Jackson Boulevard. In addition, the South Dakota Department of Transportation has reviewed and approved the approach location.

Red Cliff Terrace: Red Cliff Terrace is located along the east lot line of the subject property and is classified as a lane place street requiring that the street be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently the street is located in a varying easement with a width that varies from of 52 feet to 33 feet. The Layout and Preliminary Plat also identifies the dedication of an additional 6 foot wide access easement along Red Cliff Terrace. The street is currently constructed with an approximate 15 foot wide paved surface.

Staff recommends that prior to Preliminary Plat approval by the City Council, construction plans for Red Cliff Terrace be submitted for review and approval showing the easement constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

As previously noted, Red Cliff Terrace is located within an access easement. The Street Design Criteria Manual states that an access easement may serve up to four lots. As such, the applicant has obtained an Exception to allow an access easement to serve five lots in lieu of four lots.

Sewer and Water: The applicant is extending City water and sewer mains from Jackson Boulevard north along the common lot line of the two proposed lots. Service lines will be extended from the utility mains to serve the two lots resulting in the service lines crossing one lot to serve another lot, which is not in compliance with the City's Utility Design Standards. As such, the applicant has submitted an Exception request to allow a service line to cross another lot. To date, the Exception has not been approved pending the recording of a waiver of right to protest any future assessment(s) for the improvement. As

STAFF REPORT
June 25, 2009

No. 09PL025 - Layout and Preliminary Plat

ITEM 32

such, staff recommends that prior to City Council approval, the Exception be obtained as noted or construction plans be submitted for review and approval showing the service lines in compliance with the City's Utility Design Standards.

Erosion and Sediment Control Permit: An Erosion and Sediment Control Plan has been submitted for review and approval. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual 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. Upon submittal of a Final Plat application, surety must 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 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. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

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