

STAFF REPORT
November 18, 2010

No. 10PL079 - Layout Plat

ITEM 15

GENERAL INFORMATION:

APPLICANT	Doug Pokorney Northern Development, LLC
AGENT	D.C. Scott Co. Land Surveyors
PROPERTY OWNER	Douglas W. Pokorney
REQUEST	No. 10PL079 - Layout Plat
EXISTING LEGAL DESCRIPTION	Block 11 and Block 22 of Mahoney Addition, located in the SW1/4 SE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot A, Lot B and Lot C of Block 11 and Lot A, Lot B, and Lot C of Block 22 of Mahoney Addition
PARCEL ACREAGE	Approximately 1.063 acres
LOCATION	East of Wood Avenue between Lindbergh Avenue and Patton Street
EXISTING ZONING	Low Density Residential District - Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District - Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/22/2010
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, a site plan shall be submitted for review and approval showing the location of the existing driveway approaches across the street in relation to the proposed driveway locations on the proposed lots to insure that the location of the driveways align and/or provide minimum separation as per the Street Design Criteria Manual. In addition, the plat document shall be revised to show non-

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- access easements in compliance with the Street Design Criteria Manual or an Exception shall be obtained as needed;
2. Upon submittal of a Preliminary Plat application, an Exception shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;
 3. Upon submittal of a Preliminary Plat application, construction plans for Lindbergh Avenue shall be submitted for review and approval showing a sidewalk along the south side of the street and three additional feet of pavement, for a minimum pavement width of 27 feet, or a Variance to the Subdivision Regulations shall be obtained;
 4. Upon submittal of a Preliminary Plat application, construction plans for Patton Street shall be submitted for review and approval showing three additional feet of pavement, for a minimum pavement width of 27 feet, and a sidewalk along the north side of the street or a Variance to the Subdivision Regulations shall be obtained;
 5. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the existing sanitary sewer mains and the proposed service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to provide utility easements as needed;
 6. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the existing water mains and the proposed service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show the dedication of utility easements as needed;
 7. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In addition, the drainage plan shall identify if any areas of the property are located within the 100 year federally designated floodplain. Pursuant to Chapter 16.20.040.H of the Rapid City Municipal Code, the plat document shall be revised to show the areas of periodic inundation;
 8. Upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required;
 9. Upon submittal of a Preliminary Plat application, a grading plan shall be submitted for review and approval if subdivision improvements are required;
 10. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 11. Upon submittal of a Preliminary Plat application, the plat title shall be revised to read "Lots A, B and C of Block 11, and Lots A, B and C of Block 22 of Mahoney Addition and dedicated Patton Street Right-of-way (formerly Block 11 and Block 22 of the Amended Plat of Mahoney Addition) located in...";
 12. 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;
 13. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 14. The approved Layout 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.

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GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide two lots into six lots. The lots are to be known as Lots A, B and C of Block 11 and Lots A, B and C of Block 22 of Mahoney Addition. The lots range in size from .167 acres to .176 acres.

The property is located east of Wood Avenue between Lindbergh Avenue and Patton Street. The property is currently void of any structural development.

STAFF REVIEW:

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

Zoning: Block 11 is currently zoned Medium Density Residential with a Planned Development Designation and Block 22 is currently zoned Low Density Residential District. The proposed lots meet the minimum lot size requirement of the Low Density Residential District and the Medium Density Residential District. The applicant should be aware that prior to issuance of a building permit for any future residential development on the proposed lots located within Block 11, an Initial and Final Residential Development Plan must be submitted for review and approval.

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed Layout Plat identifies that all of the proposed lots will have a length twice the distance of the width. As such, staff is recommending that upon submittal of a Preliminary Plat application, an Exception be obtained to allow a lot twice as long as it is wide or the plat document must be revised to comply with the length to width requirement.

Lindbergh Avenue: Lindbergh Avenue is located along north lot line and is classified as a sub-collector street requiring that it be located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Lindbergh Avenue is currently located within a 60 foot wide right-of-way and constructed with a 24 foot wide paved surface, curb, gutter, sidewalk along the north side of the street, street light conduit, water and sewer.

Upon submittal of a Preliminary Plat application, construction plans for Lindbergh Avenue must be submitted for review and approval showing a sidewalk along the south side of the street and three additional feet of pavement, for a minimum pavement width of 27 feet, or a Variance to the Subdivision Regulations must be obtained.

Patton Street: Patton Street is located along the south lot line and is classified as a sub-collector street requiring that it be located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Patton Street is currently located within a varying right-of-way width from 33 feet to 51.5 feet. The Layout Plat identifies the dedication of 9.5 feet of additional right-of-way along Patton Street.

Patton Street is currently constructed with a 24 foot wide paved surface, curb, gutter,

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sidewalk along the south side of the street, street light conduit, water and sewer. Upon submittal of a Preliminary Plat application, construction plans for Patton Street must be submitted for review and approval showing three additional feet of pavement, for a minimum pavement width of 27 feet, and a sidewalk along the north side of the street or a Variance to the Subdivision Regulations must be obtained.

Drainage/Floodplain: The 100 year federally designated floodplain is located within the area and may include the southwest corner of the property. Chapter 16.20.040.H of the Rapid City Municipal Code states that any portion of the land in or adjacent to the subdivision subject to periodic inundation by storm drainage, overflow or ponding shall be clearly shown and identified on the plat. Upon submittal of a Preliminary Plat application, a drainage plan must be submitted for review and approval. In addition, the drainage plan must identify if any areas of the property are located within the 100 year federally designated floodplain. Pursuant to Chapter 16.20.040.H of the Rapid City Municipal Code, the plat document must be revised to show the areas of periodic inundation.

The applicant should also be aware that a Floodplain Development Permit must be obtained prior to any disturbance of soil or construction within the area of the property located within the 100 year Federally Designated Floodplain.

Water: A six inch "North Rapid High Level" water main is located in Lindbergh Avenue. In addition, a six inch "Low Level" water main is located in Patton Street. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the existing water mains and the proposed service lines must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to show the dedication of utility easements as needed.

Sewer: An eight inch sewer main is located in both Lindbergh Avenue and Patton Street. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the existing sanitary sewer mains and the proposed service lines must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to provide utility easements as needed.

Stormwater Management Plan: The City Council recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

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 as required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff recommends that upon submittal of a Final Plat application,

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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 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 recommends that prior to the City's acceptance of any public improvements, a 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.