

STAFF REPORT
March 24, 2011

No. 11PL015 - Preliminary Plat

ITEM 25

GENERAL INFORMATION:

APPLICANT	Joseph Hecker
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Dennis Meier
REQUEST	No. 11PL015 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 19 and 22R of Una Del Acres No. 2, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 19R and 22RA of Una Del Acres No. 2
PARCEL ACREAGE	Approximately 5.87 acres
LOCATION	6030 Una Del Acres
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Private On-site Water and Wastewater
DATE OF APPLICATION	2/28/2011
REVIEWED BY	Karen Bulman / Brandon Quiett

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the Planning Commission, the Exception to allow two driveways to serve a residential lot shall be approved, or one driveway removed and the plat document revised to provide non-access easements in compliance with the Street Design Criteria Manual;
2. Prior to City Council approval, non-access easements shall be shown on the plat document in compliance with the Street Design Criteria Manual;
3. 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;

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4. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
5. The approved 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 Preliminary Plat to reconfigure two existing lots. The lots are to be known as Lots 19R and 22RA of Una Del Acres No. 2. A Layout Plat (#10PL087) to subdivide the property into two plats as shown on this Preliminary Plat was approved with stipulations by the City Council on January 3, 2011. In addition, the City Council approved a Variance to the Subdivision Regulations (#10SV024) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement, with the stipulations that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for improvements and that a Wild Fire Mitigation Plan be submitted for review and approval.

The property is located approximately 200 feet north of the intersection of Wildwood Drive and Una Del Drive on the east side of Una Del Drive. Currently, a single family residence and three sheds are located on proposed Lot 22RA. Lot 19R is currently void of any structural development.

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

Una Del Drive: Una Del Drive is located along the west lot line of the property and is classified as a lane place street requiring that it be located within a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Una Del Drive is located within a 50 foot wide right-of-way and constructed with a 19 foot wide paved surface.

The applicant has received approval for a Variance to the Subdivision Regulations (#10SV024) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement with the stipulations that prior to City Council approval, the applicant sign a waiver of right to protest any future assessment for improvements and that a Wild Fire Mitigation Plan be submitted for review and approval. The applicant has signed the Waiver of Right to Protest any future assessments for the improvements and a Wild Fire Mitigation Plan has been submitted and approved.

Driveway(s): Currently, two driveways exist serving proposed Lot 22RA. The property was annexed in 1984 and the original gravel surfaces were in place. As such, the driveway surface is legal non-conforming. The applicant should be aware that prior to issuance of a building permit for any future development on the property, the first 50 feet of the driveway(s) must be paved or a Variance from the Zoning Board of Adjustment waiving the requirement must be obtained. As there are two driveways currently serving as access to Lot 22RA, the applicant has submitted an exception to allow two driveways to serve a residential lot. Prior to Planning Commission approval, the Exception must be reviewed and

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approved, or one driveway removed and the plat document revised to provide non-access easements in compliance with the Street Design Criteria Manual.

The driveway approach to Lot 19R has been identified on the site plan. Spacing between the existing driveway approach on the property located north of Lot 19R and the proposed driveway to Lot 19R must be 75 feet and the proposed approach must meet sight distance requirements. Staff prefers to see driveway approaches aligned, but due to topographical constraints, an aligned driveway would not be safe. Prior to City Council approval, non-access easements must be identified on the plat document.

Drainage: A drainage ditch runs north-south through the property. The applicant has submitted a drainage report demonstrating that the ditch is secured within a Major Drainage Easement.

Water: Proposed Lot 22RA is currently served by a private well. The applicant has indicated that no development is intended to serve Lot 19R. As such, the applicant has indicated that an individual well or cistern will provide water service to this lot until such time as central water is available. The applicant obtained the Variance (#10SV024) to waive the requirement to install water at this time. The applicant has signed a Waiver of Right to Protest for any future improvements. The Fire Department has suggested sprinkling buildings on this property due to low water pressure.

Sewer: The proposed Lot 22RA is currently served by a septic system and drain field and is the location of a residence. Currently, Lot 19R is undeveloped. The applicant has indicated a holding tank will serve as waste disposal until such time as central sewer is available. The applicant obtained the Variance (#10SV024) to waive the requirement to install sewer, which included dry sewer. The applicant has signed a Waiver of Right to Protest for any future improvements. Prior to the City issuing a building permit for any development of Lot 19R, approval from South Dakota Department of Environment and Natural Resources will need to be obtained for a sewer system to be located on the lot.

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.

Staff recommends that upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed be posted and the subdivision inspection fees be paid.

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.

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