

STAFF REPORT  
February 21, 2013

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**No. 13PL006 - Preliminary Subdivision Plan**

**ITEM 2**

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GENERAL INFORMATION:

APPLICANT	Ron Davis - Davis Engineering, Inc.
AGENT	Donald and Carol Kobes
PROPERTY OWNER	Donald and Carol Kobes
REQUEST	<b>No. 13PL006 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	The W1/2 of Lot 8 of Marshall Subdivision, located in the SE1/4 of the NE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots A and B of the W1/2 of Lot 8 of Marshall Subdivision
PARCEL ACREAGE	Approximately .61 acres
LOCATION	2615 Homestead Street
EXISTING ZONING	Low Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	January 21, 2013
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. Prior to submittal of a Development Engineering Plan application, a Variance from City Council shall be obtained to waive the requirement to construct sidewalk along Homestead Street and an Exception shall be obtained to waive the requirement to provide two additional feet of pavement or construction plans shall be submitted with the Development Engineering Plan application showing a sidewalk along the street and two

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- additional feet of pavement. If a Variance and/or Exception is obtained, a copy of the City Council action approving the Variance and a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
2. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show the dedication of one additional foot of right-of-way along Homestead Street or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application.
  3. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to include an 8 foot wide minor drainage and utility easement along the interior of all lot lines or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application,
  4. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to provide a minimum distance of five feet from the proposed lot line and the existing driveway or an Exception shall be obtained or the plat document shall be revised to show a 40 foot wide by 40 foot long shared approach centered on the common lot line between the two proposed lots. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
  5. Upon submittal of a Development Engineering Plan application, drainage information shall be submitted for review and approval demonstrating that the proposed impervious area does not exceed the anticipated impervious area within the drainage basin plan or construction plans shall be submitted for review and approval demonstrating on-site detention;
  6. Upon submittal of a Development Engineering Plan application, water plans demonstrating that adequate fire and domestic flows are being provided shall be submitted for review and approval. In addition, the location of the water service line to the existing residence located on proposed Lot A shall be identified. If the water service line is not constructed in compliance with design standards, the water service line shall be relocated as needed or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
  7. Upon submittal of a Development Engineering Plan application, the location of the sewer service line to the existing residence located on proposed Lot A shall be identified. If the sewer service line is not constructed in compliance with design standards, the sewer service line shall be relocated as needed or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
  8. Prior to Development Engineering Plan approval, the proposed water and sewer plans shall be submitted to the Rapid Valley Sanitary District for review and approval;
  9. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if subdivision improvements are required;
  10. Prior to submittal of a Final Plat application, the shed located on proposed Lot B shall be removed or the plat document shall be revised to show the shed located on proposed Lot A. In addition, the shed shall be located a minimum of 8 feet from the proposed lot line to ensure that it does not encroach into the 8 foot wide minor drainage and utility easement;
  11. Prior to submittal of a Final Plat application, the plat title shall be revised to read Lots A &

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- B of Lot 8 in Marshall Subdivision;
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; and,
  13. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to create two lots. The lots are to be known as Lots A & B of Lot 8 of Marshall Subdivision. In addition, the lots are to be sized 0.33 acres and 0.29 acres, respectively.

The property is located approximately 200 feet east of Valley Drive on the south side of Homestead Street. Currently, a residence and two sheds are located on proposed Lot A. In addition, a shed is located on proposed Lot B.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the installation of public improvements. Approval of a Preliminary Subdivision Plan by the City Council is required before an applicant can proceed with Development Engineering Plans and a Final Plat application for all or part of the area within the Preliminary Subdivision Plan application.

STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Zoning: The property is zoned Low Density Residential District. The existing principle use located on the property is a single family residence which is a permitted use in the Low Density Residential District. Three sheds are also located on the property as accessory uses to the principle use of the property. As a result of the proposed plat, the residence and two sheds will be located on proposed Lot A. In addition, one shed will be located on proposed Lot B. However, a principle use must be established on a lot prior to the location of an accessory structure. Since a residence is not located on proposed Lot B, the shed must be removed from the property prior to submittal of a Final Plat application or the plat document must be revised to show the shed located on proposed Lot A. In addition, the shed must be located a minimum of 8 feet from the proposed lot line to ensure that it does not encroach into the 8 foot wide minor drainage and utility easement to be created as a part of this plat.

Homestead Street: Homestead Street is located along the north lot line and is classified as a local street requiring that it be located in a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Homestead Street is currently located within a 50 foot wide right-of-way with a 24 foot wide paved surface and Rapid Valley Sanitary District water and sewer. The applicant has submitted an Exception request to waive the requirement to install curb, gutter, sidewalk and street light conduit along Homestead Street as it abuts the property. Staff has reviewed and approved the Exception request to waive curb, gutter and

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street light conduit with the stipulation that the applicant sign a waiver of right to protest any future assessments for the improvements. However, only City Council has the authority to waive the requirement to construct sidewalk. In addition, two additional feet of pavement is required along the street to meet local street design standards. As such, prior to submittal of a Development Engineering Plan application, a Variance from City Council must be obtained to waive the requirement to construct sidewalk along Homestead Street and an Exception must be obtained to waive the requirement to provide two additional feet of pavement or construction plans must be submitted with the Development Engineering Plan application showing a sidewalk along the street and two additional feet of pavement. If a Variance and/or Exception is obtained, a copy of the City Council action approving the Variance and a copy of the approved Exception must be submitted with the Development Engineering Plan application. In addition, prior to submittal of a Development Engineering Plan application, the plat document must be revised to show the dedication of one additional foot of right-of-way along Homestead Street or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application

Access: The existing driveway is located adjacent to the proposed lot line between proposed Lots A and B, which is not in compliance with the Infrastructure Design Criteria Manual. As such, prior to submittal of a Development Engineering Plan application, the plat document must be revised to provide a minimum distance of five feet from the proposed lot line and the existing driveway or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application. The applicant also has the option of revising the plat document to show a 40 foot by 40 foot shared access easement centered on the common lot line to be utilized as access to both lots.

Drainage: The property is located within the Perrine Drainage Basin. As such, upon submittal of a Development Engineering Plan application, drainage information must be submitted for review and approval demonstrating that the proposed impervious area does not exceed the anticipated impervious area within the drainage basin plan or construction plans must be submitted for review and approval demonstrating on-site detention.

Water System Evaluation: The property is located in the Rapid Valley Sanitary District service area. Upon submittal of a Development Engineering Plan application, water plans demonstrating that adequate fire and domestic flows are being provided must be submitted for review and approval. In addition, the location of the water service line to the existing residence located on proposed Lot A must be identified. If the water service line is not constructed in compliance with design standards, the water service line must be relocated as needed or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Sewer System Evaluation: As previously noted, the property is located in the Rapid Valley Sanitary District service area. Upon submittal of a Development Engineering Plan application, the location of the sewer service line to the existing residence located on proposed Lot A must be identified. If the sewer service line is not constructed in compliance with design standards, the sewer service line must be relocated as needed or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be

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submitted with the Development Engineering Plan application.

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.

Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.