

STAFF REPORT  
March 10, 2016

**No. 16PL011 - Preliminary Subdivision Plan**

GENERAL INFORMATION:

APPLICANT	William Rensch
AGENT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	William J. Rensch
REQUEST	<b>No. 16PL011 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	The south 223 feet of Lot A of East Ten Acres Subdivision, located in the SE1/4 of the SW1/4 of Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A1 and A2 of East Ten Acres Subdivision
PARCEL ACREAGE	Approximately 0.53 acres
LOCATION	3806 West Main Street
EXISTING ZONING	Low Density Residential District
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	February 12, 2016
REVIEWED BY	Vicki L. Fisher / Dan Kools

RECOMMENDATION:

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

1. Prior to submittal of the Development Engineering Plan application, redlined comments shall be addressed. Upon submittal of the Development Engineering Plan application, the redlined comments and the revised drawing(s) as per the redline comments shall be submitted for review and approval or an Exception to the Infrastructure Design Criteria

STAFF REPORT  
March 10, 2016

**No. 16PL011 - Preliminary Subdivision Plan**

- Manual or the Standard Specifications for each comment shall be obtained. If an Exception is obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, construction plans for West Main Street shall be submitted for review and approval showing the dedication of 17 additional feet of right-of-way and the construction of a dual water main 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. Upon submittal of a Development Engineering Plan application, construction plans for 38<sup>th</sup> Street shall be submitted for review and approval showing one additional foot of pavement width for a total of 26 feet and water 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 approval of a Development Engineering Plan application, an Exception shall be obtained to reduce the required 8 foot wide minor drainage and utility easement for the area of the existing garage encroachment along the west lot line of proposed Lot A2. As a part of the Exception request, written documentation from the utility companies indicating concurrence with the request shall be submitted. If the Exception is not obtained, then the garage encroachment shall be removed;
  5. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer shall be submitted for review and approval if subdivision improvements are required. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, easements shall be provided as needed;
  6. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Registered Professional Engineer;
  7. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
  8. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  9. Prior to submittal of a Final Plat application, the portion of the garage encroaching into the 8 foot wide side yard setback on proposed Lot A2 shall be removed or surety shall be posted to ensure that it is removed in a timely manner;
  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. 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 application to subdivide a 0.53 acre parcel into two lots. The lots will be 0.16 acres and 0.31 acres in size, respectively,

STAFF REPORT  
March 10, 2016

**No. 16PL011 - Preliminary Subdivision Plan**

and will be known as Lot A1 and A2 of East Ten Acres Subdivision.

The property is located in the northwest corner of the intersection of 38<sup>th</sup> Street and West Main Street. A single family residence, shed and garage are located on proposed lot A2. Proposed Lot A1 is currently void of any structural development.

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 which requires a minimum 6,500 square foot lot size when public utilities are provided. The proposed lots meet the minimum lot size requirement as identified.

The existing single family residence, garage and shed located on proposed Lot A2 are permitted uses within the Low Density Residential District. However, the existing garage will encroach into the minimum 8 foot side yard setback from the proposed lot line between Lots A1 and A2. The applicant's site plan identifies that this portion of the garage will be removed to maintain the minimum 8 foot clearance. Prior to submittal of a Final Plat application, the portion of the garage encroaching into the 8 foot wide side yard setback on proposed Lot A2 must be removed or surety must be posted to ensure that it is removed in a timely manner.

**West Main Street:** West Main Street is located along the south lot line of the property and is classified as a minor arterial street on the City's Major Street Plan. A minor arterial street must be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains. West Main Street is located within a 66 foot wide right-of-way and constructed to minor arterial design standards with the exception of a second water main. The proposed plat shows the dedication of an additional 14 feet of right-of-way which is three feet less than the 17 feet required to be dedicated for the north half of the right-of-way. Upon submittal of a Development Engineering Plan application, construction plans for West Main Street must be submitted for review and approval showing a dual water main along the minor arterial street and the dedication of 17 additional feet of right-of-way 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.

**38<sup>th</sup> Street:** 38<sup>th</sup> Street is located along the east lot line of the property and is classified as a local street requiring that it be located within a minimum 52 foot right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, 38<sup>th</sup> Street is located in a 41 foot wide right-of-way and constructed as a local street with the exception of a 25 foot wide paved surface in lieu of a

STAFF REPORT  
March 10, 2016

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**No. 16PL011 - Preliminary Subdivision Plan**

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minimum 26 foot wide paved surface and a water main. Please note that the applicant has submitted a utility plan and profile showing the extension of a water main along the west side of 38<sup>th</sup> Street. An Exception has been granted to allow the water main to be located along the west side of the right-of-way in lieu of the east side of the right-of-way pursuant to the Infrastructure Design Criteria Manual. The proposed plat identifies the dedication of 5.5 feet of right-of-way along the west side of 38<sup>th</sup> Street. The additional 5.5 feet of right-of-way will be obtained from the property located on the east side of the street at the time that it is replatted in the future.

Upon submittal of a Development Engineering Plan application, construction plans for 38<sup>th</sup> Street showing one additional foot of pavement width for a total of 26 feet and water must be submitted for review and approval 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.

Drainage: The property is located within the South Canyon Drainage Basin. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer must be submitted for review and approval if subdivision improvements are required. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, easements must be provided as needed.

Water: The proposed lots are located in the South Canyon Water Zone which serves elevations of 3300 feet to 3450 feet. Static pressures in this development are approximately 90 psi. Pressure reducing valves are required on all water services within the development. As noted above, the applicant has submitted a plan and profile showing the extension of a City water main along 38<sup>th</sup> Street to serve future development on proposed Lot A1.

Sewer: A public 15 inch sewer main is located in 38<sup>th</sup> Street and within a 20 foot easement located north and adjacent to proposed Lot A1. The existing sewer will provide service to the proposed development.

Easement: The plat document identifies the dedication of an 8 foot wide minor drainage and utility easement along all interior lot lines as required. However, the existing garage located on Lot A2 is located 2.6 feet from the existing west lot line, within the proposed 8 foot wide easement. As such, prior to approval of a Development Engineering Plan application, an Exception must be obtained to reduce the required 8 foot wide minor drainage and utility easement for the area of the existing garage encroachment along the west lot line as identified. As a part of the Exception request, written documentation from the utility companies indicating concurrence with the request must be submitted. If the Exception is not obtained, then the garage encroachment must be removed.

Stormwater Management Plan: The City Council has adopted a Stormwater Quality Manual and an Infrastructure Design Criteria Manual which provide criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure

STAFF REPORT  
March 10, 2016

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**No. 16PL011 - Preliminary Subdivision Plan**

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Design Criteria 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.

Development Agreement: Section 1.16.1 of the Infrastructure Development Criteria Manual states that a Development Agreement may be required for construction approval. A Development Agreement is a tool which will provide the City and the developer with an instrument to document the financial and procedural requirements for the development of public improvements. Staff recommends that prior to approval of the Development Engineering Plan application, a Development Agreement must be entered into with the City for all public improvements, if subdivision improvements are required.

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