

STAFF REPORT
November 20, 2008

No. 08PL136 - Layout Plat

ITEM 22

GENERAL INFORMATION:

APPLICANT	Doug Noyes
AGENT	Renner & Associates
PROPERTY OWNER	Doug Noyes
REQUEST	No. 08PL136 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 13 of Block 31 of Boulevard Addition, being all of Block 31 west of the north/south Alley and a portion of Fairview Street, located in the SW1/4, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of resubdivision of Lot 13 of Block 31 of Boulevard Addition and vacated portion of Fairview Street, located in the SW1/4, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.277 acres
LOCATION	And the northeast corner of the intersection of Clark Street and Forest Hills Drive/Fairview Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Park Forest District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/8/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, a drainage and grading plan must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary;
2. Upon submittal of the Preliminary Plat application, a sewer plan prepared by a

STAFF REPORT
November 20, 2008

No. 08PL136 - Layout Plat

ITEM 22

- Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;
3. Upon submittal of the Preliminary Plat application, water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities are available for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
 4. Upon submittal of the Preliminary Plat application, construction plans for Clark Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the street shall be located in 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 or a Variance to the Subdivision Regulations shall be obtained;
 5. Upon submittal of the Preliminary Plat application, construction plans for Fairview Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the street shall be located in 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 or a Variance to the Subdivision Regulations shall be obtained or the right-of-way shall be vacated;
 6. Upon submittal of a Preliminary Plat application a detailed geotechnical report for footing, foundations, and walls shall be submitted for review and approval;
 7. Upon submittal of the Preliminary Plat application, a site plan shall be submitted for review and approval demonstrating the building envelopes for the proposed lots meet the minimum setback requirements for the Low Density Residential District or revise the plat document to comply with the setback requirements of the Rapid City Municipal Code;
 8. Upon submittal of the Preliminary Plat application, a site plan shall be submitted for review and approval demonstrating the driveway locations for each lot;
 9. Prior to Preliminary Plat approval by City Council, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
 10. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees shall be paid as required;
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 12. 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: (Update, November 12, 2008. All revised and/or added text is shown in bold print.) This item was to be heard at the November 6, 2008 Planning Commission Meeting. However, due to inclement weather, the Planning Commission was unable to meet. Staff is recommending that this item be approved with the stipulations of approval as noted above.

The applicant has submitted a Layout Plat to reconfigure two existing parcels and vacate a portion of Fairview Street right-of-way. There would be no increase in density with the

STAFF REPORT
November 20, 2008

No. 08PL136 - Layout Plat

ITEM 22

proposed plat. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#08SV041) to waive the requirement to install sidewalk along Clark Street, to waive the requirement to construct sewer, water, street light conduit, sidewalk, asphalt and curb and gutter along Fairview Street as per Chapter 16.16 of the Rapid City Municipal Code.

The property is located south of Clark Street and west of 12th Street. Currently, the property is void of structural development.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or a special exception, whichever is applicable.

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

Clark Street: Clark Street is identified as a sub-collector street and must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Clark Street is located in a 60 foot wide right-of-way and constructed with a 27 foot wide paved surface, curb, gutter, street light conduit, sewer and water. However, sidewalk is not currently constructed along this portion of Clark Street. As previously noted, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Clark Street per Chapter 16.16 of the Rapid City Municipal Code. Staff recommends that prior to City Council approval of a Preliminary Plat application, construction plans for the sidewalk along Clark Street must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Fairview Street: Fairview Street is identified as a sub-collector street and must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, there are two separate right-of-ways platted for Fairview Street and both are undeveloped. The northern right-of-way for Fairview Street varies in width from approximately 100 feet to 60 feet and the southern right-of-way for Fairview Street appears to be 50 feet in width. The applicant has requested to vacate the northern portion of the Fairview Street right-of-way and has requested a Variance to the Subdivision Regulations to waive the requirement to construct sewer, water, street light conduit, sidewalk, asphalt and curb and gutter along Fairview Street as per Chapter 16.16 of the Rapid City Municipal Code. Staff recommends that prior to City Council approval of a Preliminary Plat application, construction plans for Fairview Street must be submitted for review and approval as identified or a Variance to the

STAFF REPORT
November 20, 2008

No. 08PL136 - Layout Plat

ITEM 22

Subdivision Regulations must be obtained or the right-of-way must be vacated.

Driveway Locations: The site plan does not identify the driveway locations to the proposed lots. Staff has concerns with the location and grades of the proposed driveways. As such, staff recommends that upon submittal of the Preliminary Plat application, a revised plan be submitted for review and approval demonstrating the driveway locations for each lot.

Building Envelope: It appears that it would be difficult to meet the setback requirements of the Low Density Residential District for the proposed lots with the existing grades of the property. In addition, the property is in an area of unstable soils where land slides occurred in the 1990's due to heavy precipitation. As a result, significant grading of the site may be problematic. As such, staff is recommending that upon submittal of the Preliminary Plat application, a site plan shall be submitted for review and approval demonstrating the building envelopes for the proposed lots meets the minimum setback requirements for the Low Density Residential District or revises the plat document to comply with the setback requirements of the Rapid City Municipal Code. In addition, staff recommends that a geotechnical analysis be completed to insure that the building envelopes and driveways can be constructed without additional slope failure.

Geotechnical Report: As noted above, there has been a history of soil instability in the area and staff is recommending that upon submittal of a Preliminary Plat application a detailed soils report for grading, footing, foundations, and walls be submitted for review and approval.

Drainage: As part of the Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. In addition, a drainage plan must be submitted for review and approval. The drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. Staff also noted that the location of water flow throughout the subdivision and the location and size of all culverts and pipes should be shown on the drainage plan. Staff is recommending that upon submittal of the Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, must be submitted for review and approval. This plan will need to be integrated with the geotechnical analysis.

Water: Staff noted that no information on the water system was submitted with the Layout Plat. As such, upon submittal of the Preliminary Plat application, water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities are available for domestic and fire flows must be submitted for review and approval.

Sanitary Sewer: Staff noted that no information on the sanitary sewer information was submitted with the Layout Plat. As such, upon submittal of the Preliminary Plat, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines must be submitted for review and approval.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and

STAFF REPORT
November 20, 2008

No. 08PL136 - Layout Plat

ITEM 22

effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending 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.

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. As such, staff is recommending that upon submittal of a Final Plat application, 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 addition, 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 is recommending that prior to the City's acceptance of the public improvements, warranty surety be submitted for review and approval as required.

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