

STAFF REPORT
January 6, 2011

No. 10PL094 - Layout and Preliminary Plat

ITEM 13

GENERAL INFORMATION:

APPLICANT	David & Valerie Simpson
AGENT	Ron Davis for Davis Engineering, Inc.
PROPERTY OWNER	David and Valerie Simpson
REQUEST	No. 10PL094 - Layout and Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots A and B of Lot 14 of Block 4 of Western Heights Subdivision located in NE1/4 SW1/4 of Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot A Revised of Lot 14 of Block 4 of Western Heights Subdivision
PARCEL ACREAGE	Approximately .33 acres
LOCATION	1216 and 1220 38th Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/10/2010
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow two driveways to serve one lot or one driveway shall be closed;
2. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the vacation of the previously platted note which reads "Access and Maintenance Easement: Six foot wide on each side of all common lot lines between Lot A and Lot B";

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3. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval if subdivision improvements are required;
4. 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,
5. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval if subdivision improvements are required; and,
6. 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 combine two lots into one lot. The lots are currently known as Lot A and Lot B of Lot 14 of Block 4 of Western Heights Subdivision. Replatting the property as proposed will create a lot to be known as Lot A Revised of Lot 14 of Block 4 of Western Heights Subdivision.

The property is located northeast of the intersection of 38th Street and Valley West Drive. Currently, a townhome unit is located on each lot. The applicant has indicated that the property is being combined into one lot in order to secure financing. In particular, the applicant has indicated that the financier is requiring that the property be platted into one lot prior to granting the loan.

STAFF REVIEW:

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

Zoning: The property is currently developed with a townhome on each lot. Replatting the two lots into one lot will result in a two family dwelling located on the property. The property is zoned Medium Density Residential District. A townhome and/or two family dwelling are permitted uses within the Medium Density Residential District.

Driveway: Currently, a driveway serves each of the townhome lots. Replatting the two lots into one lot will result in two driveways serving as access to one property. The Street Design Criteria Manual states that not more than one driveway shall be allowed to serve each residential lot. As such, prior to Preliminary Plat approval by the City Council, an Exception must be obtained to allow two driveways to serve one residential lot or one of the driveways must be closed.

38th Street: The property is located adjacent to 38th Street which 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. Currently, 38th Street is located within a 60 foot wide right-of-way and constructed with a 33 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The current design of 38th Street meets the minimum design standards for a sub-collector street.

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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, surety be posted and subdivision inspection fees be paid if subdivision improvements are 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.