

STAFF REPORT
April 5, 2018

No. 18PL014 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT	Alan D. Dietrich Living Trust
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNER	Alan Dietrich Living Trust, Dean Hamm Trust
REQUEST	No. 18PL014 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	That portion of the W1/2 of the NE1/4 of the SE1/4 located north of Portrush Road, less Red Rock Estates, and Lot 1A of Block 19 of Red Rock Estates, located in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1AR of Block 19, Red Rock Estates
PARCEL ACREAGE	Approximately 0.49 acres
LOCATION	Northwest of the intersection of Ainsdale Court and Portrush Road
EXISTING ZONING	Low Density Residential District
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Development)
South:	Low Density Residential District II
East:	Low Density Residential District (Planned Development)
West:	General Agricultural District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	March 9, 2018
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, construction plans shall

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- be submitted for review and approval showing the installation of sidewalk along Muirfield Drive and the balance of Portrush Road, including ADA access ramps, or a Variance shall be obtained from City Council;
2. Upon submittal of a Development Engineering Plan application, construction plans for Ainsdale Court shall be submitted for review and approval showing the construction of two additional feet of pavement and the dedication of 1.5 additional feet of right-of-way or an Exception shall be obtained. If an Exception is obtained, a copy of the Exception shall be submitted with the Development Engineering Plan application;
 3. Upon submittal of a Development Engineering Plan application, construction plans for Muirfield Drive shall be submitted for review and approval showing the construction of 7 additional feet of pavement to allow on-street parking and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
 4. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. 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 Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
 5. Upon submittal of a Final Plat application, the plat document shall clarify whether the existing 8 foot wide minor drainage and utility easement currently located along the rear lot line of existing Lot 1A is being retained or vacated. If the easement is being vacated, then documentation from all of the affected utility companies indicating concurrence with the vacation of the easement shall be submitted;
 6. 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;
 7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if applicable;
 8. 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,
 9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to replat an existing townhome lot into an adjacent unplatted parcel to create a 0.49 acre townhome lot. The lot is to be known as Lot 1AR, Block 19, Red Rock Estates.

The property is located in the northwest corner of the intersection of Ainsdale Court and Portrush Road. Currently, a townhome with access from Ainsdale Court is located on the property.

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

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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 currently zoned Low Density Residential District with a Final Planned Development Overlay. The Low Density Residential District requires a minimum 6,500 square foot lot. The proposed 0.49 acre lot, a 21,344.4 square foot area, meets the minimum lot size requirement of the Low Density Residential District. The previously approved Final Planned Development (File #06PD027) reduced the front yard setback from 25 feet to 18 feet to the garage and 15 feet to the residence. The applicant has submitted a site plan identifying that the existing townhome provides a 30 foot front yard setback. As such, the proposed lot and the existing development located on the lot are in compliance with the land area and use standards set forth by the Low Density Residential District and the approved Final Planned Development.

Sidewalk: Chapter 16.16.050 of the Rapid City Municipal Code states that the developer will be responsible for constructing all corner ramps, sidewalks connecting the corner ramps along the radius and all sidewalks on lots which no building permit is anticipated. As a part of the building permit approved for the townhome located on the existing platted lot, sidewalks were constructed along the abutting Ainsdale Court and Portrush Road right-of-way. As previously noted, the Preliminary Subdivision Plan proposes to incorporate an unplatted balance into the back yard of the townhome lot. Currently, sidewalks do not exist along this portion of Portrush Road and Muirfield Drive that abut the unplatted parcel. Since a residence already exists on the property, a building permit for the property is not anticipated. As such, upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval showing the installation of sidewalk along Muirfield Drive and the balance of Portrush Road, including ADA access ramps, or a Variance must be obtained from City Council.

Ainsdale Court: Ainsdale Court is located along the east lot line of the proposed lot and serves as access to the property. At the time the townhome lot was originally platted, Ainsdale Court was classified as a lane place street requiring that it be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved street, curb, gutter, sidewalk, street light conduit, sewer and water. Ainsdale Court is currently constructed to lane place standards. Since the time of the original plat, the Infrastructure Design Criteria Manual has been amended. Subsequently, Ainsdale Court is now classified as a local street requiring a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. As such, upon submittal of a Development Engineering Plan application, construction plans for Ainsdale Court must be submitted for review and approval showing the construction of two additional feet of pavement and the dedication of 1.5 additional feet of right-of-way or an Exception must be obtained. If an Exception is obtained, a copy of the Exception must be submitted with the Development Engineering Plan application.

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Muirfield Drive: Muirfield Drive is located along the west lot line of the property and is classified as a collector street on the City's Major Street Plan requiring that the street be located in a minimum 68 foot wide right-of-way and constructed with a minimum 34 foot wide paved surface to allow on-street parking or 24 foot wide paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Muirfield Drive is located in a varied right-of-way width of 100 feet to 155 feet and constructed with a 27 foot wide paved surface with on-street parking, curb, gutter, street light conduit, and water. Upon submittal of a Development Engineering Plan application, construction plans for Muirfield Drive must be submitted for review and approval showing the construction of 7 additional feet of pavement to allow on-street parking and sewer or an Exception must be obtained. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

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 be entered into with the City for additional stormwater control improvements if needed.

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.