

STAFF REPORT
February 10, 2005

No. 04PL211 - Preliminary Plat

ITEM 5

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 04PL211 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	W1/2 W1/2 SW1/4 of Section 32, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1-3, Block 1, Buehner Subdivision located in the W1/2 W1/2 SW1/4 of Section 32, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.83 acres
LOCATION	At the current southern terminus of Limelight Lane
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Private water and on-site wastewater
DATE OF APPLICATION	12/30/2004
REVIEWED BY	Renee Catron-Blair / Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, a geotechnical report including pavement design must be submitted for review and approval;
2. A Special Exception to the Street Design Criteria Manual to allow a 2,000 foot long cul-de-sac with no intermediate turnarounds in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet shall be granted with the stipulation that a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented. Prior to Preliminary Plat approval by the City Council, a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented;
3. Prior to Preliminary Plat approval by the City Council, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained;

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4. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
5. Prior to Preliminary Plat approval by the City Council, road construction plans for Limelight Lane shall be submitted for review and approval. In particular, Limelight Lane shall be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
6. Prior to Preliminary Plat approval by the City Council, road construction plans for the section line highways located along the south and west lot lines shall be submitted for review and approval. In particular, the road construction plans shall show the section line highways constructed with a minimum 24 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 section line highways shall be vacated. The adjacent property owner(s) shall sign the petition(s) to vacate the section line highways or a Variance to the Subdivision Regulations shall be obtained to allow platting of a half a right-of-way;
7. Prior to Preliminary Plat approval by the City Council, water plans prepared by a Registered Professional Engineer showing the extension of water mains, fire hydrants and water lines, including the size of the proposed water lines shall be submitted for review. If a shared well and/or a community water facility is proposed then it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In addition, the proposed aquifer and anticipated depth of the well(s) shall be identified. The plat document shall also be revised to show utility easement(s) as needed;
8. Prior to Preliminary Plat approval by the City Council, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If a central sewer system is proposed, the applicant shall identify the entity responsible for operation and maintenance and obtain South Dakota Department of Environment and Natural Resource approval. If individual on-site wastewater systems are used, then an on-site wastewater plan prepared by a Registered Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval. In particular, the information shall include percolation test data and location as well as soil profile data and locations. In addition, a septic tank plan must be submitted for review and approval as per Chapter 16.20.040.N of the Rapid City Municipal Code;
9. Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall address the characteristics of downstream drainage facilities. In addition, adequate facilities for conveyance of increased or modified flows, proper easements for use of the drainage facilities or demonstration of the application of legal reasonable use principles shall be provided. The plat document shall also be revised to provide drainage easements as necessary to convey upstream run-off across the property;
10. Upon submittal of a Final Plat application, a road maintenance agreement for Limelight Lane shall be submitted for review and approval;
11. Upon submittal of a Final Plat application, the plat title shall be revised to read "Located in the W1/2 W1/2 SW1/4";
12. Upon submittal of a Final Plat application, a note shall be placed on the plat document stating that "a reserve drainfield area shall be identified upon submittal of a building

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- permit” and that “on-site wastewater disposal systems shall be mound systems, holding tanks or evapotranspiration systems only if percolation and profile information is not sufficient for conventional systems”;
13. Upon submittal of a Final Plat application, the plat document shall be revised to show an access restriction easement along each side of the first 100 feet of Limelight Lane extension to be in compliance with the Street Design Criteria Manual;
 14. Upon submittal of a Final Plat application, the plat document shall be revised to include the required Final Plat certificates; and,
 15. 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.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide approximately 40 acres into three residential lots sized 4.29 acres, 5.0 acres and 30.30 acres, respectively. The applicant has also submitted a Variance to the Subdivision Regulations request in conjunction with the Preliminary Plat application. (See companion item #04SV081.)

The property is located at the southern terminus of Limelight Lane and is currently void of any structural development.

STAFF REVIEW:

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

Limelight Lane: Limelight Lane serves as legal access to the proposed lots and is classified as a lane / place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water, sewer and pavement or a Variance to the Subdivision Regulations must be obtained. The plat document should show an access restriction easement along each side of the first 100 feet of Limelight Lane. Prior to Preliminary Plat approval by the City Council, construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Limelight Lane extends south from Countryside Boulevard resulting in an approximate 2,000 foot long cul-de-sac. The Street Design Criteria Manual states that in moderate, high or extreme fire hazard areas, cul-de-sacs shall not exceed 500 feet in length. In addition, intermediate turnarounds shall be provided every 600 feet. The Fire Department staff has indicated that the property is located within a moderate to high fire hazard area. As such, the applicant must obtain a Special Exception to allow a cul-de-sac in excess of 500 feet and to waive the requirement to provide intermediate turnarounds or the street must be redesigned to comply with the Street Design Criteria Manual.

At Layout Plat stage at the October 21, 2004 Planning Commission meeting, the applicant's consultant requested the Planning Commission grant the Special Exception to allow a 2,000 foot long cul-de-sac without intermediate turnarounds. Members of the Planning Commission noted that the existing cul-de-sac currently measures 1,850 feet in length. The proposed plat will extend the cul-de-sac an additional 150 feet. As such, the Planning Commission indicated that they would support the Special Exception as requested with the

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stipulation that a Wild Fire Mitigation Plan be submitted for review and approval and that the plan be implemented.

Section Line Highway: A section line highway is located along the west lot line and the south lot line of the subject property, respectively. The east half and the south half of the section line highways are located on adjacent properties under different ownership from the subject property. The Subdivision Regulations state that "...where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half shall be platted. No new half-streets shall be permitted". As such, the adjacent property owners must participate in the platting of the east half and the south half of the section line highways or a Variance to the Subdivision Regulations must be obtained to allow platting half a right-of-way. In particular, the road construction plans must show the two section line highways constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. The applicant also has the option of vacating the section line highways; however, the adjacent property owners must sign the vacation petitions. Staff is recommending that the section line highway issue be addressed prior to Preliminary Plat approval by the City Council. Prior to Preliminary Plat approval by the City Council, construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Geotechnical Report: A geotechnical report including pavement design must be submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the City Council, a geotechnical report be submitted for review and approval as identified.

Road Maintenance Agreement: The Pennington County Highway Department staff has indicated that a road maintenance agreement for Limelight Lane must be submitted for review and approval. Staff is recommending that upon Final Plat application, a road maintenance agreement be submitted for review and approval as required by City Ordinance.

Sewer: Sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If a central sewer system is proposed, the applicant must identify the entity responsible for operation and maintenance and obtain South Dakota Department of Environment and Natural Resource approval. If individual on-site wastewater systems are used, then an on-site wastewater plan prepared by a Registered Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval. In particular, the information must include percolation test data and location as well as soil profile data and locations. In addition, a septic tank plan must be submitted for review and approval as per Chapter 16.20.040.N of the Rapid City Municipal Code. A note must also be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided and that on-site wastewater disposal systems shall be mound systems, holding tanks or evapotranspiration systems only if percolation and profile information is not sufficient for conventional systems. Staff is recommending that the above referenced information be submitted for review and approval prior to Preliminary Plat approval by the City Council.

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Water: Water plans prepared by a Registered Professional Engineer showing the extension of water mains, fire hydrants and water lines, including the size of the proposed water lines must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If on-site well(s) and/or a community water source are used, data to confirm that the well(s) have sufficient flows and water quality must be submitted for review and approval. In addition, the water plans must show the existing water system layout, including location and size of mains, reservoir capacity, overflow elevations, well location and capacity. In addition, the applicant must submit documentation that the existing community water district concurs with the proposed expansion of use. Staff is recommending that the above referenced information be submitted for review and approval prior to Preliminary Plat approval by the City Council.

Drainage: As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval. The drainage plan must address the characteristics of downstream drainage facilities. Adequate facilities for conveyance of increased or modified flows, proper easements for use of the drainage facilities or demonstration of the application of legal reasonable use principles must be provided. In addition, drainage easements must be provided as necessary to convey upstream run-off across the property. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the City Council a drainage and grading plan, as well as an erosion and sediment control plan, be submitted for review and approval and the plat document be revised to provide drainage easements as needed.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s) or a Variance to the Subdivision Regulations must be obtained waiving the requirement to install a central water system. In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access. Staff is recommending that construction plans be submitted for review and approval as identified prior to Preliminary Plat approval by the City Council.

The Fire Department staff has also indicated that the property is located in a moderate to high wild fire hazard area. As such, prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan must be submitted for review and approval. In addition, the Wild Fire Mitigation Plan must be implemented.

Plat Labeling: The plat document must be revised to include the required Final Plat certificates prior to the Final Plat application. The plat document must be revised to show an access restriction easement along each side of the first 100 feet of Limelight Lane extension and the plat title must be revised to read "Located in the W1/2 W1/2 SW1/4." A note shall be placed on the plat document stating that "a reserve drainfield area shall be identified upon submittal of a building permit" and that "on-site wastewater disposal systems shall be mound systems, holding tanks or evapotranspiration systems only if percolation and profile information is not sufficient for conventional systems."

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Special Exception: On August 16, 2000, the City Council approved an amendment to the Street Design Criteria Manual stating that "...a street shall not provide exclusive access to more than forty (40) dwelling units. A second street access shall be provided when more than forty (40) dwelling units are exclusively accessed from a street". Currently, Countryside Boulevard with the extension of Limelight Lane serves 99 residential lots. Platting the subject property as proposed will result in the cul-de-sac serving as exclusive access to 101 residential lots. As such, the applicant has requested a Special Exception to allow 101 lots with one point of access.

The intent of the amendment to the Street Design Criteria Manual limiting the number of residences with one point of access is to insure safe ingress and egress into these development(s) during times of an emergency. In particular, the Fire Department staff has indicated that during times of a fire and/or any other catastrophe such as a flood, one point of access to more than forty dwelling units is not adequate to handle emergency vehicle traffic and residential traffic. The Fire Department staff has also indicated that even though a Wild Fire Hazard Mitigation Plan has been implemented in areas around the subject property, there still remain areas within the subject property that are identified as moderate to high wild fire hazard.

At Layout Plat stage at the October 21, 2004 Planning Commission meeting the applicant's consultant requested that the Planning Commission grant the Special Exception to allow 101 dwelling units with one point of access. In particular, the applicant's consultant identified that the property is currently zoned Suburban Residential District. As such, the 40 acre parcel would allow a density of 268 residential lots if a community water and sewer system were provided or 40 residential lots if individual on-site water and wastewater systems were provided. Members of the Planning Commission noted that the Layout Plat to subdivide one parcel into three lots was a minimal increase based on the County's zoning designation of the property. As such, on November 15, 2004, the City Council granted an Exception request to allow 101 dwelling units in lieu of 40 dwelling units with one point of access with the stipulation that a note be placed on the plat stating that the property may not be further subdivided.

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