

STAFF REPORT
February 9, 2006

No. 05PL251 - Layout Plat

ITEM 32

GENERAL INFORMATION:

PETITIONER	Rob Livingston
REQUEST	No. 05PL251 - Layout Plat
EXISTING LEGAL DESCRIPTION	Tract A of Government Lots 1 and 2, Section 18, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 - 31 and Common Lots 1 - 3 of Block 1; and Lots 1 - 12 and Common Lot 1 of Block 2, Blakes Estates, Section 18, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 35.23 acres
LOCATION	6620 West Highway 44
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Suburban Residential District
East:	Suburban Residential District
West:	Limited Agriculture District - Low Density Residential District
PUBLIC UTILITIES	Rapid Canyon Sanitary District and private water
DATE OF APPLICATION	12/29/2005
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

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

1. Prior to Layout Plat approval by the Planning Commission, the applicant shall submit a structural site plan showing the existing structures and utilities located on the subject property;
2. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;
3. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. If on-site detention is required, then design calculations and details for the detention shall be submitted for review and approval. In

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- addition, the plat document shall be revised to provide drainage easements as necessary;
4. Upon submittal of a Preliminary Plat application, 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. In addition, the applicant shall submit a signed agreement with Rapid Canyon Sanitary District identifying concurrence to connect to their Sanitary District;
 5. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains 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 particular, the water system shall be constructed and designed to provide adequate fire and domestic flows. In addition, the plat document shall be revised to show utility easement(s) as needed;
 6. Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval;
 7. Upon submittal of a Preliminary Plat application, road construction plans for West S.D. Highway 44 shall be submitted for review and approval. In particular, the construction plans shall show the installation of a minimum 40 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 8. Upon submittal of a Preliminary Plat application, road construction plans for Blake Road shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot 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;
 9. Upon submittal of a Preliminary Plat application, road construction plans for that portion of Blake Road located east of the subject property extending south to West S.D. Highway 44 shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot 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;
 10. Upon submittal of a Preliminary Plat application, road construction plans for the cul-de-sac streets shall be submitted for review and approval. In particular, the cul-de-sac streets shall be located in a minimum 49 foot 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. In addition, the construction plans shall identify the construction of a permanent turnaround at the end of the cul-de-sacs and an intermediate turnaround every 600 feet, where applicable, with a minimum 110 foot diameter right-of-way and a minimum 92 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained;
 11. An Exception to the Street Design Criteria Manual is hereby granted to allow a 600 foot long cul-de-sac in lieu of a maximum 500 foot long cul-de-sac for the most eastern cul-de-sac street with the stipulation that the street be constructed with a minimum 24 foot wide paved surface, curb and gutter;
 12. Upon submittal of a Preliminary Plat application, road construction plans for the north-south section line highway and the east-west section line highway shall be submitted for review and approval. In particular, the road construction plans shall show the streets

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- 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 section line highways shall be vacated;
13. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;
 14. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a street connection to the north lot line of the subject property;
 15. Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;
 16. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 17. Prior to Preliminary Plat approval by the City Council, Approach Permit(s) shall be obtained from the South Dakota Department of Transportation. In addition, acceleration and turning lane(s) shall be provided along West S.D. Highway 44 as determined by the South Dakota Department of Transportation;
 18. Prior to submittal of a Final Plat, the plat document shall be revised to provide non-access easements in compliance with the Street Design Criteria Manual;
 19. Prior to submittal of a Final Plat, the applicant shall submit proposed street names to the Emergency Services Communication Center for review and approval. In particular, a different street name shall be proposed for "Blake Road" as well as street names for the two cul-de-sac streets. In addition, the plat document shall be revised to show the approved street names;
 20. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for street maintenance and snow removal. In particular, an agreement with Pennington County shall be submitted for review and approval indicating that the proposed street shall be accepted by Pennington County for road maintenance and snow removal; or evidence shall be submitted for review and approval that a road district has been established in accordance with SDCL 31-12A-1; or a legally binding agreement shall be submitted for review and approval by the City Council which guarantees sufficient financial commitment to provide these services;
 21. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for maintenance of the community water facility for review and approval, if applicable;
 22. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for maintenance of the common area for review and approval;
 23. Prior to submittal of a **Preliminary** Plat application, the property shall be rezoned through the County to support the proposed lot sizes or the plat document shall be revised accordingly;
 24. Upon submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along West S.D. Highway 44 or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s); and,
 25. 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.

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GENERAL COMMENTS:

(Update, January 31, 2006. All revised and/or added text is shown in bold print.) This item was continued at the January 26, 2006 Planning Commission meeting at the applicant's request. The applicant has submitted a Layout Plat to subdivide a 35.23 acre parcel into 43 residential lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the section line highways; to install curb, gutter, sidewalk, street light conduit, water and sewer along West S.D. Highway 44; and, to install curb, gutter, sidewalk, street light conduit and water along the interior streets. (See companion item #05SV087.)

The property is located approximately one-half mile west of the City limits of Rapid City on the north side of West S.D. Highway 44. Currently, a single family residence and accessory structures are located on the property.

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:

Site Plan: A structural site plan identifying the location of the existing single family residence, accessory structures and existing utilities must be submitted for review and approval. As this is a requirement of a Layout Plat, staff is recommending that the site plan be submitted for review and approval prior to Layout Plat approval by the Planning Commission.

Setbacks: The applicant has requested a Variance to reduce the setback requirement along the section line highway. The property is located outside of the City of Rapid City and, as such, any setback reductions must be reviewed and approved by the Pennington County Board of Commissioners and/or the County's Zoning Board of Adjustment.

Zoning: The property is currently zoned General Agriculture District in Pennington County requiring a minimum lot size of 40 acres. The Layout plat identifies that the lots will range in size from .508 acres to 3.135 acres. The Pennington County Planning Department has indicated that the applicant has submitted a Planned Unit Development request for the subject property to allow the proposed development. Staff is recommending that prior to submittal of a Final Plat application, the property be rezoned to support the proposed lot sizes or the plat document must be revised accordingly. **On January 23, 2006, the Pennington County Planning Commission recommended denial of a Planned Unit**

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Development request to allow the subject property to be developed into 43 residential lots. The Pennington County Board of Commissioners will consider the request at their February 7, 2006 meeting. Staff is recommending that the rezoning issue be resolved with the County prior to submittal of a Preliminary Plat application.

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed Layout Plat identifies that 12 of the lots will have a length twice the distance of the width. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations be obtained to allow a lot twice as long as it is wide or the plat document must be revised to comply with the length to width requirement.

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. In particular, the drainage plan must be designed in compliance with the Drainage Criteria Manual. The drainage plan must also demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. If on-site detention is required, then design calculations and details for the detention must be submitted for review and approval. Staff is recommending that upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary.

Sewer: The applicant has indicated that the property will be served by the Rapid Canyon Sanitary District. Staff is recommending that upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the applicant must submit a signed agreement with Rapid Canyon Sanitary District identifying concurrence to connect to their Sanitary District.

The applicant should be aware that since the subject property is located over the Madison Aquifer, which feeds into Rapid Creek, staff would not support the proposed development without connecting to the sanitary district as proposed.

Water: Water plans prepared by a Registered Professional Engineer showing the extension of water mains 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 fire and domestic flows and water quality must be submitted for review and approval. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by City Ordinance.

West S.D. Highway 44: West S.D. Highway 44 is located along the south lot line of the subject property and is classified as a principle arterial street on the City's Major Street Plan requiring that the street be located in a minimum 100 foot wide right-of-way and constructed

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with a minimum 40 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer. Currently, West S.D. Highway 44 is located in a 150 foot wide right-of-way with an approximate 36 foot wide paved surface. Staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans for West S.D. Highway 44 providing a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Blake Road: The Layout Plat identifies Blake Road extending north from West S.D. Highway 44 and looping through the subject property. Blake Road is classified as a sub-collector street requiring that it 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. As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

The Layout Plat also identifies the east leg of Blake Road connecting with a portion of the existing Blake Road right-of-way located east of the subject property. To date, this section of Blake Road has not been constructed. The proposed development will generate 473 average daily trips (ADT) per day supporting the requirement that this off-site street improvement be completed as a part of the proposed plat. As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans must also be submitted for review and approval for this portion of Blake Road. In particular, the road construction plans must show the street located in a minimum 52 foot 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 must be obtained.

Cul-de-sac Streets: The Layout Plat identifies two cul-de-sac streets serving as access to the northern portion of the proposed development. As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the cul-de-sac streets must be submitted for review and approval. In particular, the cul-de-sac streets must be located in a minimum 49 foot 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 must be obtained. In addition, the construction plans must identify the construction of a permanent turnaround at the end of the cul-de-sacs and an intermediate turnaround every 600 feet, where applicable, with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface or a Variance to the Subdivision Regulations must be obtained.

The Fire Department staff has indicated that the property is located in a moderate to high wildfire hazard area. The Street Design Criteria Manual states that a cul-de-sac shall not exceed 500 feet in a moderate to high wildfire hazard area. The length of the southern cul-de-sac street is 600 feet. The applicant has requested an Exception to allow the 600 foot cul-de-sac in lieu of the maximum allowed 500 foot cul-de-sac. The Fire Department staff has indicated that a Wild Fire Mitigation Plan is not needed for the subject property as there are limited trees on site. Staff has also noted that constructing the street with a minimum 24 foot wide paved surface, curb and gutter will provide a safe ingress/egress street for the 12 lots located along the street. As such, staff is recommending that the Exception be granted

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as requested with the stipulation that the street be constructed with a minimum 24 foot wide paved surface, curb and gutter.

Section Line Highway: A north-south section line highway and an east-west section line highway extend through the subject property. The section line highways are classified as sub-collector streets requiring that they be constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the 66 foot wide section line highway must be dedicated as right-of-way. To date, the section line highways are unimproved. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans must be submitted for review and approval showing the section line highway(s) constructed as identified and the 66 foot wide section line highway dedicated as right-of-way or a Variance to the Subdivision Regulations must be obtained or the section line highway(s) must be vacated. A portion of the section line highways is located on an adjacent property under different ownership from the subject property. The Subdivision Regulations states that "...where there exists a dedicated or platted half-street adjacent to the tract to be subdivide, the other half shall be platted. No new half-streets shall be permitted". Vacating only that portion of the section line highway located on the subject property will create a half-street. As such, the entire section line highway must be vacated or a Variance to the Subdivision Regulations must be obtained. If the applicant seeks to vacate a portion of the section line highway(s), the adjacent property owner will need to concur in the request. Prior to City Council approval of the Preliminary Plat, the section line highway issue must be addressed as identified or construction plans for the streets must be submitted for review and approval.

Street Grades: The Street Design Criteria Manual states that street grades shall not exceed 12% gradient. In addition, the International Fire Code states that street grades shall not exceed 10% gradient. Staff is concerned that the grades of the future streets may exceed the gradients as identified. The applicant should be aware that the construction plans must demonstrate compliance with the street gradient requirements or an Exception to the Street Design Criteria Manual and the International Fire Code must be obtained accordingly.

Street Connections: The Subdivision Regulations states that "sufficient streets shall be extended as far as the boundary lines of the tract to be subdivided in order to ensure normal circulation of traffic within the vicinity. Staff has noted that an approximate 20 acre parcel located north of the subject property and an approximate 79 acre parcel located northwest of the subject property are currently undeveloped. Providing a street connection through the subject property to the adjacent properties will provide street connectivity among the properties as this area continues to develop. As such, staff is recommending that upon submittal of a Preliminary Plat application, the plat document be revised to show a street connection to the north lot line of the subject property.

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