

STAFF REPORT
March 9, 2006

No. 06PL025 - Preliminary Plat

ITEM 12

GENERAL INFORMATION:

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| PETITIONER | Wyss Associates, Inc. for Canyon Springs, LLC |
| REQUEST | No. 06PL025 - Preliminary Plat |
| EXISTING LEGAL DESCRIPTION | A tract of land located in the S1/2 SE1/4 and NE1/4 SE1/4 of Section 22; SW1/4 of Section 23; and the NW1/4 NW1/4 of Section 26; T2N, R6E, BHM, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lots 1 thru 87, Block 1; Lot 1, Block 2, Canyon Springs Preserve, less Lot 1 of Firehouse Subdivision and the "Nemo" Road right-of-way, formerly the unplatted portion of the S1/2 SE1/4 and NE1/4 SE1/4 of Section 22; SW1/4 of Section 23; and the NW1/4 NW1/4 of Section 26; T2N, R6E, BHM, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 310.14 acres |
| LOCATION | Adjacent to the west side of Nemo Road |
| EXISTING ZONING | Planned Unit Development (Pennington County) |
| SURROUNDING ZONING | |
| North: | Pennington County |
| South: | Pennington County |
| East: | Pennington County |
| West: | Pennington County |
| PUBLIC UTILITIES | Community water and private on-site wastewater |
| DATE OF APPLICATION | 2/10/2006 |
| REVIEWED BY | 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, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to Preliminary Plat approval by the City Council, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval or each construction plan sheet shall be revised to show contours at five foot intervals with erosion and sediment control measures;

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3. Prior to Preliminary Plat approval by the City Council, additional drainage information shall be submitted for review and approval. In particular, the drainage plan shall be revised to show the locations, size and design of detention ponds. In addition, the plans shall be revised to show dimensions on the rip rap areas, show direction arrows at pipe, box culverts and in the general ditch lines and show the location of the Type "C" inlet. The drainage plan shall also be sealed and signed by a South Dakota licensed Professional Engineer. In addition, the plat document shall be revised to provide drainage easements as necessary;
4. Prior to Preliminary Plat approval by the City Council, the road construction plans for Emerald Ridge shall be revised to show two-18 foot wide paved lanes in lieu of the proposed 15 foot wide paved lanes at the entrance of the development as they extend west from Nemo Road to insure fire apparatus access;
5. Prior to Preliminary Plat approval by the City Council, 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 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 and/or relocated;
6. Prior to Preliminary Plat approval by the City Council, the construction plans shall be revised to show a five foot wide pedestrian sidewalk through the development. In addition, the plat document shall be revised to show the proposed sidewalk located within a pedestrian access easement;
7. Prior to Preliminary Plat approval by the City Council, a Master Utility Plan showing private utilities shall be submitted for review and approval;
8. Prior to Preliminary Plat approval by the City Council, all construction plans and Final Engineering Report(s) shall be sealed and signed by a licensed South Dakota Professional Engineer;
9. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
10. Prior to Preliminary Plat approval by the City Council, Approach Permit(s) shall be obtained from the Pennington County Highway Department. In addition, acceleration and turning lane(s) shall be provided along Nemo Road as determined by the Pennington County Highway Department;
11. 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;
12. Prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented;
13. Prior to submittal of a Final Plat, the applicant shall submit proposed suffixes to the street names to the Emergency Services Communication Center for review and approval. In addition, the northern east-west leg of Emerald Ridge shall be labeled "N. Emerald Ridge". The plat document shall also be revised to show the approved street names;
14. 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

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- a legally binding agreement shall be submitted for review and approval by the City Council which guarantees sufficient financial commitment to provide these services;
15. 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;
 16. 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;
 17. Upon submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Nemo Road or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s);
 18. Prior to the start of construction, a Floodplain Development Permit shall be obtained as needed;
 19. Upon submittal of a Final Plat application, a note shall be placed on the plat document stating that "Prior to obtaining a Building Permit for a residence on any of the lots, two suitable on-site wastewater system areas shall be identified with accompanying percolation testes and soil profiles certified by a Registered Professional Engineer. Any septic system to be located on any of the properties shall be designed and certified by a Registered Professional Engineer based on specific soil and geologic conditions. Soil profiles shall show that proper soil separation can be obtained as outlined in State Administrative Rule 74:53:01:32. If the percolation and soil profile information do not meet these requirements an alternative system approved by the South Dakota Department of Environment and Natural Resources may be used. As a last resort, Pennington County may approve the use of holding tanks". In addition a note shall be placed on the plat document stating that "all wastewater disposal systems be a minimum of 50 feet from all exposed rock cliffs and major drainage ditches within the development and that individual septic systems shall have a one acre buffer between any other septic system"; and,
 20. 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 310.14 acres into 87 residential lots and a 10.699 acre lot separated from the balance of the property by Nemo Road right-of-way. 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 portions of two section line highway(s). (See companion item #06SV011.)

On January 16, 2006, the City Council approved a Layout Plat to subdivide the subject property as shown as this Preliminary Plat. In addition, a Variance to the Subdivision Regulations was approved as follows:

- To waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Nemo Road with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements;

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- To waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Blazin Saddles and the first 750 feet of Emerald Ridge as it extends west from Nemo Road with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements; and,
- To waive the requirement to install curb, gutter, sidewalk, and sewer along the balance of the interior streets with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements and that a minimum five foot wide pedestrian walk-way be provided throughout the development.

The City Council also granted the following Exceptions to the Street Design Criteria Manual:

- To allow a 1,400 foot long cul-de-sac in lieu of a maximum 500 foot long cul-de-sac for Gold Creek with the stipulation that one intermediate turnaround be provided to accommodate fire apparatus and that the street be constructed with a minimum 24 foot wide paved surface;
- To allow a 655 foot long cul-de-sac in lieu of a maximum 500 foot long cul-de-sac for Diamond Oak with the stipulation that the street be constructed with a minimum 24 foot wide paved surface; and,
- To allow a 15% gradient along a portion of Emerald Ridge in lieu of a maximum 12% gradient as per the Street Design Criteria Manual and a maximum 10% gradient as per the International Fire Code with the stipulation that the street be constructed with a minimum 27 foot wide paved surface.

The property is located approximately three miles northwest of the City limits of Rapid City along Nemo Road and adjacent to the Doty Fire Station. Currently, a single family residence and a barn are located on the property.

STAFF REVIEW:

The eastern portion of the property is located within the City's three mile platting jurisdiction with the balance of the property located in Pennington County's platting jurisdiction. As such, staff has reviewed the Preliminary Plat for the 57 lots, or portions thereof, that are located in the City's platting jurisdiction and has noted the following considerations:

Drainage: In reviewing the Drainage Plan, staff has noted that the study identifies detention pond(s); however, the plans do not show and/ or include any information regarding the facilities. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, additional drainage information is submitted for review and approval showing the locations, size and design of the detention ponds. In addition, the plans must be revised to show dimensions on the rip rap areas, show direction arrows at pipe, box culverts and in the general ditch lines and show the location of the Type "C" inlet. The drainage plan must also be sealed and signed by a South Dakota licensed Professional Engineer. 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 individual on-site wastewater systems. Recent studies conducted by the South Dakota School of Mines and Technology identify that the underlying Madison Aquifer is very vulnerable in the area of the subject property. Mapping completed as a part of the study identify that sink holes exist

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along the Boxelder Creek area of the subject property. In addition, tertiary age gravels exist within the open meadow areas of the property. The sink holes direct surface water into the underlying aquifer. In addition, the tertiary age gravels tend to be poor filtering material and may allow effluent to travel through the subsurface too rapidly. Quaternary age alluvium located on the subject property may also allow effluent to travel through the subsurface too rapidly. The study also identifies that septic systems that are considered to increase the vulnerability of the underlying aquifer have been given a one acre buffer between systems. As such, staff is recommending that a note be placed on the plat stating that "individual septic systems shall have a one acre buffer between any other septic system". In addition, staff is recommending that upon submittal of a Final Plat application, a note be placed on the plat document stating that "Prior to obtaining a Building Permit for a residence on any of the lots, two suitable on-site wastewater system areas shall be identified with accompanying percolation testes and soil profiles certified by a Registered Professional Engineer. Any septic system to be located on any of the properties shall be designed and certified by a Registered Professional Engineer based on specific soil and geologic conditions. Soil profiles shall show that proper soil separation can be obtained as outlined in State Administrative Rule 74:53:01:32. If the percolation and soil profile information do not meet these requirements an alternative system approved by the South Dakota Department of Environment and Natural Resources may be used. As a last resort, Pennington County may approve the use of holding tanks". In addition a note shall be placed on the plat document stating that "all wastewater disposal systems be a minimum of 50 feet from all exposed rock cliffs and major drainage ditches within the development".

Emerald Ridge: The construction plans show Emerald Ridge with two-15 foot wide paved lanes separated by a median as it extends a distance of 750 feet west from Nemo Road. The Fire Department has indicated that the lanes must be increased to a minimum width of 18 feet to insure fire apparatus access. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the road construction plans for this portion of Emerald Ridge be revised to show two-18 foot wide paved lanes in lieu of the proposed 15 foot wide paved lanes to insure fire apparatus access.

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 subdivided, 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

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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.

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 upon Preliminary Plat submittal.

The Fire Department has also indicated that property is located in a 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 and the plan must be implemented.

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