

STAFF REPORT
July 6, 2006

No. 06PL081 - Layout Plat

ITEM 50

GENERAL INFORMATION:

PETITIONER	Rob Livingston for James W. Peterson
REQUEST	No. 06PL081 - 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 thru 15, and common Lot 1, Black Estates, formerly Tract A of Government Lots 1 and 2, Section 18, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 35.23 acres
LOCATION	6620 West Highway 44
EXISTING ZONING	Planned Unit Development (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Limited Agriculture District - Low Density Residential District
PUBLIC UTILITIES	Rapid Canyon Sanitary Sewer District/Community Water
DATE OF APPLICATION	5/26/2006
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

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

1. 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;
2. 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 addition, the plat document shall be revised to provide drainage easements as necessary;
3. 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

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- 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 the terms of the agreement to connect to the Sanitary District. An Engineering Report identifying that adequate capacity is available within the Rapid Canyon Sanitary District for the proposed subdivision shall also be submitted for review and approval;
4. 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. In addition, a water system analysis verifying the source and adequacy of water quantity and storage capacity for domestic and fire flows shall be submitted for review and approval. Fire hydrants shall also be provided at all intersections and intermediate points between intersections with spacing not to exceed 450 feet and at high points in the profile or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show utility easement(s) as needed;
 5. Upon submittal of a Preliminary Plat application, the water and sewer plans shall show a water and sewer main serving proposed Lot 8 located within right-of-way in lieu of a utility easement or an Exception to the Street Design Criteria Manual shall be obtained;
 6. Upon submittal of a Preliminary Plat application, the plat document shall be revised to clearly show any portion of the property subject to periodic inundation by storm drainage, overflow or ponding or a Variance to the Subdivision Regulations shall be obtained;
 7. Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval;
 8. 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;
 9. Upon submittal of a Preliminary Plat application, road construction plans for Blake Lane shall be submitted for review and approval. In particular, the road construction plans shall show the street 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-sac 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 shall be obtained;
 10. 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 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.
 11. Upon submittal of a Preliminary Plat application, road construction plans for the proposed 49 foot wide access easement shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk,

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- street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
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 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;
 13. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design and construction recommendations for large and deep embankment area(s) shall be submitted for review and approval;
 14. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 15. Prior to submittal of a Preliminary Plat application, the plat document shall be revised to show access to proposed "Common Lot #1". In addition, the plat document shall be revised to show the Lot labeled with a consecutive number in lieu of a common lot;
 16. Prior to submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along West S.D. Highway 44 except for the approved approach location(s) as per the South Dakota Department of Transportation. In addition, the plat document shall be revised to provide non-access easements along the interior street(s) in compliance with the Street Design Criteria Manual;
 17. Prior to submittal of a Preliminary Plat application, an Exception to the Street Design Criteria Manual shall be obtained to allow a 900 foot long cul-de-sac with no intermediate turnaround(s) in lieu of a maximum 500 foot long cul-de-sac with an intermediate turnaround every 600 feet for Blake Lane or the plat document shall be revised accordingly;
 18. Prior to submittal of a Preliminary Plat application, the plat document shall be revised to show the 49 foot wide access easement as right-of-way or an Exception shall be obtained to allow an easement to serve more than four lots as per the Street Design Criteria Manual;
 19. 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;
 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. Upon submittal of a Final Plat application, the plat document shall be revised to show a

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- 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,
24. 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:

(Update, June 23, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 22, 2006 Planning Commission meeting to be heard in conjunction with an associated Variance to the Subdivision Regulations. Please note that no other part of this Staff Report has been revised.

The applicant has submitted a Layout Plat to subdivide a 35.23 acre parcel into 15 residential lots and one common lot. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along West S.D. Highway 44; to install curb, gutter, sidewalk and street light conduit along Blake Lane; and, to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the 49 foot wide access easement. (See companion item #06SV034.)

On December 29, 2005, the applicant submitted a Layout Plat to subdivide the subject property into 43 residential lots. In addition, the applicant 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 associated items #05PL251 and 05SV087.)

On February 7, 2006, the County Board of Commissioners denied a request to rezone the subject property from General Agriculture District to Suburban Residential District. On February 20, 2006, the City Council acknowledged the applicant's request to withdraw the Layout Plat and associated Variance to the Subdivision Regulations.

On May 23, 2006, the County Board of Commissioners approved a Planned Unit Development request to allow 15 single family residential lots with one common lot on the subject property. Subsequently, the applicant has submitted this Layout Plat to subdivide the subject property.

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, the property is void of any structural development.

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

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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:

Zoning: As previously indicated, a Planned Unit Development has been approved by Pennington County for the subject property to allow the 15 single family residential lots and one common lot. The applicant should be aware that any revisions to the plat document resulting in an alternate lot configuration and or access may require an Amendment to the Planned Unit Development. As such, the developer must continue to coordinate plat revisions with the Pennington County Planning Department to insure that County zoning issues are also being addressed as needed.

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 10 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 submitted a letter from the Rapid Canyon Sanitary Sewer District indicating that they have no objection to the proposed subdivision connecting with the Sewer 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 the terms of the agreement to connect to the Sanitary District. An Engineering Report identifying that adequate capacity is available within the Rapid Canyon Sanitary District for the proposed subdivision must also be submitted for review and approval.

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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: The applicant has indicated that a central water system will serve the proposed development. A water system analysis verifying the source and adequacy of the source, as well as quantity and storage capacity to provide domestic and fire flows must be submitted for review and approval. Staff is recommending that upon submittal of a Preliminary Plat application, a water system plan be submitted for review and approval as identified. In addition, fire hydrants must be provided at all intersections and intermediate points between intersections with spacing not to exceed 450 feet and at high points in the profile or a Variance to the Subdivision Regulations must be obtained.

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 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 along a portion of the east lot line of the subject property. Blake Road is 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 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.

Blake Lane: The Layout Plat identifies Blake Lane, a cul-de-sac street, extending west and north into the subject property to serve as access to the 15 lots. Blake Lane is 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 surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the cul-de-sac street must be submitted for review and approval as identified. In addition, the construction plans must identify the construction of a permanent turnaround at the end of the cul-de-sac 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 Layout Plat identifies Blake Lane as an approximate 900 foot long cul-de-sac street. Staff is recommending that prior to

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submittal of a Preliminary Plat application, an Exception to the Street Design Criteria Manual be obtained to allow a 900 foot long cul-de-sac with no intermediate turnaround(s) in lieu of a maximum 500 foot long cul-de-sac with an intermediate turnaround every 600 feet or the plat document must be revised accordingly.

Access Easement: The Layout Plat identifies a 49 foot wide access easement extending from the northern terminus of Blake Lane to the north lot line of the subject property. The access easement is classified as a lane place street requiring that it be located in a 49 foot wide right-of-way and constructed with a 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the access easement be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Staff has also noted that the proposed easement will serve more than four lots. As such, staff is recommending that the prior to submittal of a Preliminary Plat application, the plat document be revised to show the easement as right-of-way or an Exception must be obtained to allow an easement to serve more than four lots as per the Street Design Criteria Manual.

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 lane place streets requiring that they be constructed with a minimum 24 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.

Staff believes that this proposed plat generally complies with all applicable Zoning and

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Subdivision Regulations assuming compliance with the stated stipulations.