

STAFF REPORT
November 22, 2006

No. 06PL170 - Preliminary Plat

ITEM 49

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting, Inc. for Brent Pushing
REQUEST	No. 06PL170 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	S1/2 NW1/4 SW1/4 SE1/4; S1/2 NE1/4 SW1/4 SE1/4; SW1/4 SW1/4 SE1/4; SE1/4 SW1/4 SE1/4; SW1/4 SE1/4 SE1/4, Section 25, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 acres
LOCATION	Western terminus of Sun Ridge Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	10/13/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Preliminary Plat be continued to the December 7, 2006 Planning Commission meeting to allow the applicant to submit the required information.

GENERAL COMMENTS: **This staff report has been revised as of November 15, 2006. All revised and/or added text is shown in bold print.** The applicant has submitted a Preliminary Plat to subdivide approximately 40 acres into four residential lots.

On July 19, 2004, City Council approved a Layout Plat (04PL084) with stipulations for the subject property.

On September 19, 2005, City Council denied without prejudice a Variance to the Subdivision Regulations (05SV023) for the subject property.

On October 2, 2006, City Council approved a revised Layout Plat (06PL140) for the subject property with the following stipulations:

1. Upon submittal of the Preliminary Plat application, the road construction plans for the

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- extension of Sun Ridge Road shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with a minimum 60 foot right-of-way and a 24 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained. In addition, a design showing a minimum 96 foot wide diameter right-of-way with a minimum 76 foot wide diameter paved cul-de-sac bulb at the end of the proposed right-of-way shall be submitted for review and approval;
2. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for the section of street that is unnamed located north of Lot 2. In particular, the road construction plans shall show the street constructed with a minimum 45 foot right-of-way and a 20 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained. In addition, a design showing a minimum 96 foot wide diameter right-of-way with a minimum 76 foot wide diameter paved cul-de-sac bulb at the end of the proposed right-of-way shall be submitted for review and approval;
 3. Prior to submittal of a Final Plat, the plat document shall include the dedication of the right-of-way for the east 660 feet of Sun Ridge Road located directly east of the subject property or an "H" Lot shall be recorded dedicating the right-of-way or a Variance to the Subdivision Regulations shall be approved waiving the requirement to dedicate the right-of-way;
 4. Prior to Preliminary Plat approval by the City Council, the section line highway shall be constructed to City Street Design Standards or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. The adjacent property owner shall participate in the platting or vacation of the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way. In particular, the road shall be located in a minimum 66 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;
 5. Upon submittal of the Preliminary Plat application, a drainage plan shall be submitted for review and approval. In addition, the plat shall be revised to show drainage easements as needed;
 6. Upon submittal of the Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water lines shall be submitted for review. If a shared well and/or a community water facility is proposed than it shall be designed as a public water system 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;
 7. 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. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;
 8. Upon submittal of the Preliminary Plat application, a topographical drawing showing any proposed grading and a sediment and erosion control plan for all improved areas

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- shall be submitted for review and approval;
9. Upon submittal of the Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 10. Upon submittal of the Preliminary Plat application, all Uniform Fire Codes shall be continually met;
 11. 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;
 12. Prior to submittal of the Final Plat, the property shall be rezoned to a zoning district as required to allow a minimum 10 acre lot or a Variance from the Pennington County Zoning Board of Adjustment shall be obtained;
 13. Prior to submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
 14. Prior to submittal of the Final Plat, a note shall be placed on the plat document stating that "An alternate drainfield area for each lot shall be identified upon submittal of a building permit."

On November 6, 2006 City Council approved a Variance to the Subdivision Regulations (06SV053) with stipulations.

The subject property is located west of Rapid City on Sun Ridge Road. Currently, there are no structures on the property.

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

Sun Ridge Road: Sun Ridge Road construction plans must be submitted for review and approval as it is classified as a collector street. In particular, the road construction plans shall show the street constructed with a minimum 60 foot right-of-way and a 24 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained. Currently, Sun Ridge Road is located in a 66 foot right-of-way and constructed with an approximate 20 foot wide paved surface. In addition a design showing a 96 foot diameter right-of-way with a minimum 76 foot wide cul-de-sac bulb at the end of the proposed right-of-way on Sun Ridge Road must be submitted for review and approval. An exception was approved to allow a hammerhead or "Y" turnaround with the stipulations that a midway turnaround is provided and that the turnarounds meet the fire code requirements of a 120 foot hammerhead and a 60 foot "Y" turnaround. Staff noted that the construction plans indicate temporary turnarounds. However, the proposed turnarounds do not meet the minimum fire code requirements. Staff also noted that an exception to increase the maximum allowed grade on a street from twelve percent to fifteen percent was denied. Staff recommends that prior to Planning Commission approval of a Preliminary Plat, the applicant shall submit a revised grading plan meeting the maximum allowed grade or obtain an exception.

As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations that is on the November 6, 2006 City Council Agenda requesting not to construct Sun Ridge Road as per City of Rapid City Street Design Criteria Manual.

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On November 6, 2006 City Council approved a Variance to the Subdivision Regulations (06SV053) with the stipulations that a 24 foot wide chip seal road shall be provided along Sun Ridge Road and the applicant shall sign a waiver of right to protest any future assessment for the improvements.

The Preliminary Plat identifies that approximately 660 feet of off-site road improvements for the extension of Sun Ridge Road to the subject property will be constructed as a part of this development. Prior to submittal of a Final Plat, the plat document must include the dedication of the right-of-way for this portion of Sun Ridge Road or an "H" Lot must be recorded or a Variance to the Subdivision Regulations must be approved waiving the requirement to dedicate the right-of-way.

Section Line Highway: An unimproved section line highway is located along the south lot line of the subject property. The section line highway must be constructed to City Street Design Standards 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 highway; however, the southern half and a portion of the northern half of the section line highway is located on adjacent properties under different ownerships than the subject property. As such, the adjacent property owners must participate in the vacation or the platting of the section line highway or a Variance to the Subdivision Regulations to allow platting half a right-of-way must be obtained. Staff is recommending that the section line highway issue be addressed as identified prior to Preliminary Plat approval by the City Council.

As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations that is on the November 6, 2006 City Council Agenda requesting not to dedicate the right-of-way and to improve this portion of the section line highway.

On November 6, 2006 City Council approved a Variance to the Subdivision Regulations (06SV053) with the stipulation that the applicant shall sign a waiver of right to protest any future assessment for the improvements.

Pushing Place: Pushing Place is classified as a lane/place street. Road construction plans must be submitted for review and approval showing the street constructed with a minimum 45 foot right-of-way and a 20 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained. In addition, a design showing a minimum 96 foot diameter right-of-way with a minimum 76 foot wide cul-de-sac bulb at the end of the proposed right-of-way must be submitted for review and approval. An exception was approved to allow a hammerhead or "Y" turnaround with the stipulations that a midway turnaround is provided and that the turnarounds meet the fire code requirements of a 120 foot hammerhead and a 60 foot "Y" turnaround. Staff noted that the construction plans indicate temporary turnarounds. However, the proposed turnarounds do not meet the minimum fire code requirements.

As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations that is on the November 6, 2006 City Council Agenda requesting not to construct Pushing Place as per City of Rapid City Street Design Criteria Manual.

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On November 6, 2006 City Council approved a Variance to the Subdivision Regulations (06SV053) with the stipulations that a 20 foot wide chip seal road shall be provided along Pushing Place and the applicant shall sign a waiver of right to protest any future assessment for the improvements.

Forty Dwelling Units: Currently, Sun Ridge Road serves as exclusive access to 39 residential lots. The proposed layout will result in 43 lots with one exclusive point of access. 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." Staff noted that an exception had previously been granted and subdividing one parcel into four lots was a minimal increase based on the County's zoning designation of the property. As such, an Exception Request (06EX048) was granted on September 5, 2006 to allow 43 dwelling units in lieu of 40 dwelling units with one point of access.

Fire Protection: The Fire Department staff has stated that the structures shall be fully fire sprinkled if minimum access requirements and minimum required fire flows cannot be met. In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access or a Variance to the Subdivision Regulations shall be obtained. Staff is recommending that construction plans be submitted for review and approval as identified upon Preliminary Plat submittal.

The Fire Department staff has also indicated that the 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. In addition, the Wild Fire Mitigation Plan must be implemented.

Drainage: Staff noted that a drainage plan must be submitted for review and approval. The drainage plan must identify that any discharge meets pre-development flow rates or on-site detention must be provided. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. Staff recommends that prior to Preliminary Plat approval by Planning Commission, a drainage and grading plan shall be submitted for review and approval.

Wastewater Disposal Systems: Staff noted that 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 individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval. Staff recommends that prior to Planning Commission approval of a Preliminary Plat, sewer plans shall be submitted for review and approval.

This item was continued to the November 22, 2006 Planning Commission meeting to allow the applicant to submit the required information. As of November 15, 2006 the required information has not been submitted. Staff recommends that the Preliminary Plat be continued to the December 7, 2006 Planning Commission meeting to allow the

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applicant to submit the required road construction plans and drainage information.