

STAFF REPORT
May 24, 2007

No. 07PL054 - Layout Plat

ITEM 7

GENERAL INFORMATION:

PETITIONER	Cody Schad
REQUEST	No. 07PL054 - Layout Plat
EXISTING LEGAL DESCRIPTION	Government Lot 1, and Lot A of Lot 2 of SW/14 NW/14, and Government Lot 2 less Lot A, all of Section 7, T1S, R7E, BHM, and Government Lot 6 of Section 6, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1, 2, 3 and 4 of Quartz Canyon Subdivision, Section 7, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 83 acres
LOCATION	North of U.S. Hwy 16, East of Quartz Canyon Lane
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District (Pennington County)
East:	Suburban Residential District - General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	3/30/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

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

- 1. Upon submittal of a Preliminary Plat application, water system plans prepared by a Registered Professional Engineer that demonstrate adequate fire and domestic flows shall be submitted for review and approval. If adequate fire flows cannot be met then the plat shall be revised to include a note stating that all habitable structures shall be sprinklered;**
- 2. Upon submittal of a Preliminary Plat application a grading and erosion plan shall be submitted for review and approval;**
- 3. Upon submittal of a Preliminary Plat application a Wildfire Mitigation Plan shall be submitted for review and approval;**

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4. Upon submittal of a Preliminary Plat application a drainage plan identifying that any discharge meets pre-development flow rates, or on-site detention shall be submitted for review and approval, in addition drainage flow throughout the subdivision shall be shown;
5. Upon submittal of a Preliminary Plat application the plat document shall be revised to show all access, drainage and utility easements as needed;
6. Upon submittal of a Preliminary Plat application the applicant is required to submit plans prepared by a Professional Engineer showing septic tank capacity, locations, information on soil type, percolation tests demonstrating that the soils are suitable for on-site wastewater treatment systems, and drain fields locations. In addition a note shall be placed on the Preliminary Plat document indicating that at the time that a building permit is applied for that a reserve drain field location shall be identified and held in reserve;
7. Upon submittal of a Preliminary Plat application, road construction plans for the access easement(s) shall be submitted for review and approval. In particular, the construction plans shall show the streets 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 with on-street parking or the street shall be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer with no on-street parking or a Variance to the Subdivision Regulations shall be obtained. If on-street parking is not provided, the developer shall provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs or an Exception to the Street Design Criteria Manual shall be obtained. In addition, a fire apparatus turnaround shall be provided at the end of each access easement in excess of 150 feet in length;
8. Upon submittal of a Preliminary Plat application road construction plans for the section line highway located on the western boundary shall be submitted for review and approval. In particular, the section line highway shall be located within 49 feet of right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water, sewer or Variance to the Subdivision Regulations shall be obtained;
9. Upon submittal of a Preliminary Plat application a geotechnical report including pavement design shall be submitted for review and approval.
10. Upon submittal of a Preliminary Plat application the applicant shall obtain an exception to allow a 860 foot cul-de-sac in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet, or the plat document shall be revised to comply with the Street Design Criteria Manual;
11. Prior to submittal of a Preliminary Plat application a Variance from the Pennington County Zoning Board of Adjustment shall be obtained to reduce the minimum required 40 acre lot size requirement of the General Agriculture District or the property shall be rezoned to allow the proposed lots or the plat shall be revised to comply with the minimum lot size of the General Agriculture District;
12. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
13. Upon submittal of a Final Plat application the applicant shall submit proof of the legal entity which will provide for the mechanism for street maintenance and snow

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- removal if the proposed streets are to be private.
14. **Upon submittal of a Final Plat application, the applicant shall provide proof of the legal entity which will provide the mechanism for maintenance of the community water facility for review and approval;**
 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; and,**
 16. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**

GENERAL COMMENTS:

This item was continued at the April 26, 2007 Rapid City Planning Commission meeting to allow the applicant to submit additional information. The applicant has indicated that the Layout Plat may be revised to eliminate Lot 4. In addition the applicant has indicated that the Staff recommends that the Layout Plat be continued to the May 10, 2007 Planning Commission to allow the applicant to submit additional information. Layout Plat will be revised to clearly show the location of streets versus driveways. As of this writing the applicant has not submitted any additional information.

(Update, May 16, 2007. All revised and/or added text is shown in bold print.) The applicant has submitted a quick claim deed verifying his ownership of Lot 4. The applicant has submitted a revised Layout Plat omitting Lot 4 from the proposed Layout Plat. The applicant has submitted a Layout Plat to reconfigure four parcels into three 17.5-acre lots, and a 30.5-acre lot. .

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.

The subject property is not located within the municipal boundaries of the City of Rapid City, however it is within the City of Rapid City's Three Mile Platting Jurisdiction. The subject property is currently zoned General Agricultural District by Pennington County. Currently, the property is void of any structural development, a series of gravel roads provide access throughout the property. A Variance to the Subdivision Regulations (07SV020) has been filed in conjunction with this Layout Plat request

Staff has reviewed the applicant's Layout Plat request and noted the following considerations:

Zoning:

The subject property is currently zoned General Agriculture District by Pennington County. A minimum lot size of 40 acres is required in a General Agricultural Zoning District. Prior to

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submittal of a Preliminary Plat application a Variance from the Pennington County Zoning Board of Adjustment shall be obtained to reduce the minimum required 40 acre lot size requirement of the General Agriculture District or the property shall be rezoned to allow the proposed lots or the plat shall be revised to comply with the minimum lot size of the General Agriculture District.

Access Easement and Streets:

The subject property is currently accessed by a series of gravel roads that serve proposed Lots 1, 2, and 3. Initial access into the subject property is via a gravel road that traverses through an adjacent property that is located east of the subject property, and not owned by the applicant. The applicant has provided documentation that an access easement was granted by the abutting property owner, and recorded by Pennington County.

The series of gravel roads that provide access to Lots 1, 2, and 3 are classified as Lane/ Place streets. Upon submittal of a Preliminary Plat application, road construction plans for the access easement(s) shall be submitted for review and approval. In particular, the construction plans shall show the streets 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 with on-street parking or the street shall be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer with no on-street parking or a Variance to the Subdivision Regulations shall be obtained. If on-street parking is not provided, the developer shall provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs or an Exception to the Street Design Criteria Manual shall be obtained. In addition, a fire apparatus turnaround shall be provided at the end of each access easement in excess of 150 feet in length.

The applicant's site plan does not identify the series of existing gravel roads to be driveways or proposed streets. As such staff is recommending that the Preliminary Plat be continued to allow the applicant to clarify the streets from the driveways so that staff can adequately address all related issues. **The applicant has submitted a revised Layout Plat document identifying a 40 foot access easement that serves all proposed Lots. Staff has noted that the access easement shall be classified as a Lane/ Place Street.**

Proposed Lot 4 of the subject property is shown without a means of access. Staff is recommending that the Layout Plat be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to revise the plat to show access to Lot 4. **The applicant has submitted a revised Layout Plat that omits Lot 4.**

On May 8, 2007 the applicant submitted an updated Layout Plat identifying a forty wide access easement that provides access to all three proposed lots. The configuration of the proposed lots has changed from the initial Layout Plat submittal. The applicant has chosen to omit Lot 4 from the proposed Layout Plat. The applicant's site plan has indicated that all portions of the access easement are driveways. Staff has noted that the access easement shall be classified as a Lane/Place street and not a driveway(s). The applicant has not indicated if the proposed streets are to be private or public. The Street Design Criteria Manual requires that a Lane/Place Street be constructed in a minimum 49 foot of right-of-way with a minimum 24 feet of pavement width, curb, gutter, sidewalk, and street light conduit. Upon submittal of a Preliminary Plat application construction

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plans prepared by a Registered, Professional Engineer for curb, gutter, pavement, sidewalk, and street light conduit must be submitted for review and approval showing the streets constructed as identified, or a Variance to the Subdivision Regulations must be obtained.

The Layout Plat identifies cul-de-sac streets along the western portion of the property and the eastern portion of the property. The Fire Department staff has indicated that the property is located in a moderate to high wild fire hazard area. The Street Design Criteria Manual states that a cul-de-sac cannot exceed 500 feet in a moderate to high wild fire hazard area. In addition, an intermediate turnaround must be provided every 600 feet. The Layout Plat identifies driveways and/or streets as cul-de-sacs exceeding 500 feet in length. Staff is recommending that the Layout Plat be continued to the May 10, 2007 Planning Commission Meeting to allow the applicant to identify the length of each cul-de-sac street to determine if any Exception is needed. **On May 8, 2007 the applicant submitted an updated site plan identifying a forty foot in wide access easement that provides access to all three proposed lots. The updated site plan identifies that the cul-de-sac serves all three proposed lots and exceeds 500 feet in length. Upon submittal of a Preliminary Plat application the applicant shall obtain an exception to allow a 860 foot cul-de-sac in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet, or the plat document shall be revised to comply with the Street Design Criteria Manual.**

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 104 residential parcels are accessed by Wilderness Canyon Road, which provides access to the subject property as well. Prior to submittal of a Preliminary Plat application, the applicant must obtain an exception to the Street Design Criteria Manual to allow dwelling units with one point of access in lieu of 40 dwelling units or the plat document must be revised accordingly.

Staff has noted that since no increase in density is proposed that the applicant is not required to obtain an exception to the forty unit rule.

Section Line Highway:

A section line highway is located along the west and north boundary of the subject property. The section line highways are classified as lane place streets requiring that they 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 and sewer. Upon submittal of a Preliminary Plat application construction plans must be submitted for review and approval as identified, or a Variance to the Subdivision Regulations must be obtained or the section line highways must be vacated.

The section line highway along the western boundary abuts property owned by the United States Forest Service. The vacation of a section line highway abutting federal land is prohibited. As such the applicant must construct the western boundary section line highway as identified, or a Variance to the Subdivision Regulations must be obtained.

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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 individual on-site wastewater systems are used, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems 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.

The applicant has submitted an updated site plan identifying the location of drain fields for each proposed lot. The applicant is required to submit sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines for review and approval or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are used, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems 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 per Section 16.20.040 of the Rapid City Municipal Code.

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 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.

The applicant has submitted an updated site plan identifying the location of a community well and the location of service lines to each proposed lot. The applicant is required to submit data for review and approval to confirm that the well has sufficient flows and water quality. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by the Rapid City Municipal Code.

Utility Structure:

The applicant has acknowledged that a community well may be located on Lot 3. The applicant is required to plat a utility easement on Lot 3 to provide a location for this community well site. Accessory structures are allowed in Low Density Residential Zoning District, Suburban Residential District, General Agriculture District, and Limited Agriculture District. However the applicant would be required to obtain a conditional use permit from Pennington County to build the accessory structure prior to construction of the principal single family dwelling on the lot. If the well functions as part of a public water system instead of a private water system, a SDLC 11-6-19 review request must also be reviewed and approved by the City's Planning Commission.

Subdivision Name:

Staff has noted that the name "Quartz Canyon Subdivision" is already in use in

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Pennington County. The applicant has submitted a revised Layout Plat identifying the subdivision name as "Valhalla Subdivision". Upon submittal of a Preliminary Plat the applicant shall submit for review and approval the proposed subdivision name to the Pennington County Register of Deeds office.

Staff recommends that the Layout Plat request be continued to the May 24, 2007 Rapid City Planning Commission meeting to allow the applicant to submit additional information as identified above.

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