

STAFF REPORT  
March 6, 2008

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**No. 08PL012 - Layout Plat**

**ITEM 20**

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GENERAL INFORMATION:

APPLICANT/AGENT	Craig and Tamara Mestad
PROPERTY OWNER	Craig and Tamara Mestad
REQUEST	<b>No. 08PL012 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	Tract 20 of Highview Subdivision, NE1/4 SE1/4 of Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A, B C and D of Tract 20 of Highview Subdivision, located in the SE1/4 NE1/4 SE1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.041 acres
LOCATION	1445 Sammis Trail
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Low Density Residential District (Planned Residential Development)
East:	General Agriculture District (Pennington County)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	None
DATE OF APPLICATION	2/8/2008
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 the applicant shall revise the plat document to identify the portions of proposed Lots A and B located north of the access easement be platted as part of proposed Lot D;
2. Prior to Preliminary Plat approval by the City Council the property shall be annexed into the municipal limits of the City of Rapid City;
3. Prior to approval of Preliminary Plat approval by the City Council the applicant shall obtain an Exception to allow access to five (5) lots by the existing access easement, or

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4. the plat document shall be revised to identify Sammis Trail as a public right-of-way;  
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 and approval. In addition information demonstrating that adequate fire and domestic flows are being shall be submitted for review and approval. 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 addition, the plat document shall be revised to show utility easement(s) as needed;
5. Upon submittal of a Preliminary Plat application sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes 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 Registered Professional Engineer showing the depth of soil, type of soil, location and capacity of all septic tanks proposed location and results of the percolation tests demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval;
6. Upon submittal of a Preliminary Plat a grading and erosion and sediment control plan shall be submitted for review and approval;
7. Upon the submittal of a Preliminary Plat application, construction plans for the access easement shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 45 foot right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, and street light conduit, or a Variance to the Subdivision Regulations shall be obtained;
8. Upon the submittal of a Preliminary Plat application, construction plans for the section line highway shall be submitted for review and approval. In particular, the construction plans shall show the street located ia a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, and sidewalk, or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated;
9. Prior to approval of a Preliminary Plat the plat document shall be revised to identify a turnaround(s) every 600 feet along the access easement, or an Exception to the Street Design Criteria Manual shall be obtained;
10. Upon submittal of a Preliminary Plat, a drainage plan and information shall be submitted for review and approval. In particular the drainage plan shall include calculations demonstrating that developed flows from the site do not exceed predeveloped flows, or on-site detention shall be provided. In addition the plat document shall be revised to provide drainage easements as needed;
11. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
12. Upon submittal of a Preliminary Plat application a stormwater management plan in compliance with the Stormwater Quality Manual shall be submitted for review and approval;
13. Upon submittal of a Preliminary Plat application a geotechnical report including pavement design shall be submitted for review and approval, or a Variance to the Subdivision Regulations shall be obtained;
14. 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 removal if the proposed streets are to be private.

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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:

The applicant has submitted a Layout Plat to subdivide an existing 10.041 acre parcel identified as Tract 20 of High View Subdivision into a 2.54 acre lot identified as Lot A, a 2.54 acre lot identified as Lot B, a 2.51 acre lot identified as Lot C, and a 2.43 acre lot identified as Lot D. The property is located 1.1 mile east of U.S. Highway 16 at the terminus of Sammis Trail. The property consists of a 10.041 acre tract that was platted as Tract 20 of Highview Subdivision on November 21, 1978. Currently a single family residence, an accessory building and a detached garage are located on proposed Lot D, there is no structural development on the remaining proposed lots. A Petition for Annexation (#08AN002) has been filed in conjunction with this annexation request. In addition, a Variance to the Subdivision Regulations to waive the requirement to install pavement, water, sewer, sidewalk, street light conduit, curb and gutter along Sammis Trail and the section line highway has been filed in conjunction with this Layout Plat request. The property is currently zoned Limited Agriculture District by Pennington County.

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

LOT CONFIGURATION

The applicant's plat document identifies the access easement as bisecting proposed Lot A and Lot B leaving a small portion of the lots located north of the access easement with the remainder of the lots located south of the access easement. Section 16.12.020 states, "The arrangement, character, extent, location and grade of all streets shall be in accordance with good land planning principles". The current configuration of Lot A and Lot B will leave a portion of land which may be unusable for structural development. Staff finds that this lot configuration is not consistent with good planning principals and recommends that prior to submittal of Preliminary Plat the applicant revise the plat document to identify the portions of proposed Lot A and proposed Lot B north of the access easement as being platted as a part of proposed Lot D.

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40 DWELLING UNITS:

On August 21, 2000 the City Council approved an Ordinance Amendment (#00OA006) that established a maximum of 40 dwelling units to be accessed by one means of exclusive access. This Layout Plat request identifies 21 parcels (including the four proposed) as having exclusive access from the access easement (Sammis Trail), which begins at U.S Highway 16, traverses easterly and terminates at the eastern boundary of the applicant's property. However, staff has noted that a Preliminary Plat (#07PL134) application identified as Highland Crossing to create 40 residential lots has been submitted for the property abutting on the southern boundary. As of this writing Hyland Crossing (#07PL134) has not been approved by the Planning Commission. The applicant should be aware that if the Highland Crossing Preliminary Plat is approved by Planning Commission prior to this Layout Plat request that an Exception to the 40 Dwelling Unit shall be obtained by the applicant prior to approval of a Preliminary Plat.

ZONING

The property is currently zoned Limited Agriculture District by Pennington County, which requires a minimum 10 acre lot size. The applicant is proposing to subdivide the property into four lots that do not meet that minimum lot size requirement. As noted the applicant has submitted a Petition for Annexation (#08AN002) request. Upon annexation the property will be rezoned to No Use District. The applicant will then have a period of 120 days to rezone the property to a zoning classification that is appropriate based on the Future Land Use Designation, which is a Planned Residential Development with two dwelling units per acre. In the event that the proposed annexation is not granted, staff recommends that prior to approval of a Preliminary Plat application that the applicant rezone the property to a classification in which the minimum lot size can be met, or obtain a Lot Size Variance for the property.

ACCESS EASMENT/SAMMIS TRAIL

The applicant's plat document identifies a 66 foot wide access easement identified as Sammis Trail measuring 750 feet in length. The access easement is shown as providing access to the four proposed lots, and the property abutting on the eastern boundary. Section 2.4 of the Street Design Criteria Manual states that access by a private street or access easement is limited to four lots. Prior to approval of Preliminary Plat the applicant shall obtain an Exception to the Street Design Criteria Manual to allow a private access to five lots, or the required amount of right-of-way (see below) shall be dedicated on the plat document, or the plat document shall be revised to identify four lots that have access by the existing access easement.

The access easement is classified as a Lane/Place requiring 45 feet of right of way width. Staff notes that the existing access easement width of 66 feet exceeds this requirement, therefore, is adequate and approved.

In addition, the access easement has a closed end terminus without any additional access to the east, a turnaround for emergency vehicles is required to be identified at an interval not to exceed 600 feet. Staff recommends that prior to submittal of a Preliminary Plat the applicant revise the plat document to identify turnarounds as per the Street Design Criteria Manual.

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SECTION LINE HIGHWAY

A section line highway abuts proposed Lots C and D on the eastern boundary. The section line highway is classified as a Lane/Place Street requiring a minimum right-of-way width of 45 feet. As such, staff is recommending that upon submittal of half of the Lane/Place Street right-of-way width, or 22 ½ feet, or a Variance to the Subdivision Regulations must be obtained.

Chapter 16.12.50 of the Rapid City Municipal Code states that dedicating half a right-of-way shall not be permitted. As such, staff is recommending that upon submittal of a Preliminary Plat application, the plat document be revised to show the dedication of the entire section line highway located along the east lot line or a Variance to the Subdivision Regulations must be obtained to allow platting half a right-of-way.

IMPROVEMENTS:

As part of the platting process, water, sewer, curb, gutter, street light conduit, sidewalk and pavement measuring a width of 20 feet (Lane/ Place Street) is required to be installed along the access easement and the section line highway. As noted both the access easement and section line highway are currently void of any of the subdivision improvements.

Sewer plans showing the extension of sanitary sewer mains, manholes 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 Registered Professional Engineer showing the depth of soil, type of soil, location and capacity of all septic tanks proposed, locations and results of percolation tests 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 must be submitted for review and approval upon submittal of a Preliminary Plat.

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 for fire and domestic use 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 noted pavement, curb, gutter, sidewalk, and street light conduit are required to be installed along the access easement and the section line highway. Upon submittal of a Preliminary Plat application the applicant is required to submit for review and approval plans prepared by a Registered Professional Engineer showing the extension of sidewalk, the installation pavement a minimum width of 20 feet, the installation of curb, gutter and street light conduit along the access easement and section line highway, or Variance to the Subdivision Regulations shall be obtained, or the section line highway shall be vacated.

STORMWATER MANAGEMENT PLAN:

The City Council has recently adopted a Stormwater Quality Manual, which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control

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measures, a plan specific to each site is required. Staff is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

WARRANTY SURETY:

On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a Warranty Surety be submitted for review and approval as required.

Staff recommends that the Layout Plat be approved with the stated stipulations.