

STAFF REPORT
June 5, 2008

No. 08PL070 – Layout and Preliminary Plat

ITEM 36

GENERAL INFORMATION:

APPLICANT/AGENT	Michael and Susan Bergstresser
CO-APPLICANT/AGENT	Elmer E. and Barbara Storm
PROPERTY OWNER	Michael and Susan Bergstresser and Elmer E. and Barbara Storm
REQUEST	No. 08PL070 – Layout and Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 2 thru 6 less Lot H1, located in the SE1/4 of the NW1/4, Section 31, T2N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 2R and 3R, formerly Lots 2 thru 6 less Lot H1, located in the SE1/4 of the NW1/4, Section 31, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.314 acres
LOCATION	6417 South Canyon Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Suburban Residential District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	5/8/2008
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to identify any portion of the land in or adjacent to the subdivision subject to periodic inundation by storm drainage, overflow or ponding;
2. Prior to Preliminary Plat approval by the City Council, water plans prepared by a Registered Professional Engineer showing the extension and/or existing water mains

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- shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If the existing private water system is utilized, then an on-site water plan prepared by a Professional Engineer shall be submitted for review and approval demonstrating that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements as needed;
3. Prior to Preliminary Plat approval by the City Council, 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 the existing individual on-site wastewater systems are utilized, 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;
 4. Prior to Preliminary Plat approval by the City Council, a Master Utility Plan shall be submitted for review and approval;
 5. Prior to Preliminary Plat approval by the City Council, construction plans for South Canyon Road shall be submitted for review and approval. In particular, the construction plans shall show the street located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 6. Prior to Preliminary Plat approval by the City Council, a lot size Variance from the Pennington County Zoning Board of Adjustment shall be obtained to allow a 1.655 acre lot and a 1.659 acre lot, respectively, in lieu of a minimum 40 acre lot as per the General Agriculture District or the property shall be rezoned to allow the proposed lot sizes with Pennington County;
 7. Prior to Preliminary Plat approval by the City Council, a drainage plan and a grading plan as well as an erosion and sediment control plan shall be submitted for review and approval if subdivision improvements are required;
 8. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 9. Prior to submittal of a Final Plat application, a reserve drainfield area for on-site wastewater treatment shall be shown on the plat or a note shall be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area for on-site wastewater treatment will be identified and held in reserve unless a public sewer system is provided;
 10. Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along South Canyon Road except for the approved approach location(s);
 11. Prior to submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along South Canyon Road or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s);
 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 application, the plat title shall be revised to read "Plat of Lots 2R and 3R of SE1/4NW1/4 of Section 31, T2N, R7E (Formerly Lots 2, 3, 4, 5 and 6 less Lot H1 of SE1/4 NW1/4 of Section 31, T2N, R7E) all located in SE1/4 of NW1/4 of Section 31, T2N, R7E, BHM, Pennington County, South Dakota";
 14. Prior to submittal of a Final Plat application, the plat document shall be revised to show

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- the Certificates of Title for a Final Plat in lieu of the Certificates of Title for a Minor Plat;
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 and Preliminary Plat to combine five lots into two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #08SV031) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along South Canyon Road as it abuts the property.

The property is located approximately 250 feet southeast of the intersection of Wide View Drive and South Canyon Road on the south side of South Canyon Road. Currently, a single family residence is located on each of the two proposed lots.

STAFF REVIEW:

Staff has reviewed the Layout and Preliminary Plat and has noted the following considerations:

Zoning: The property is currently zoned General Agriculture District by Pennington County requiring a minimum lot size of 40 acres. The plat identifies a 1.655 acre lot and a 1.659 acre lot. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a lot size Variance from the Pennington County Zoning Board of Adjustment be obtained to allow a 1.655 acre lot and a 1.659 acre lot, respectively, in lieu of a minimum 40 acre lot as required by the County's the General Agriculture District or the property must be rezoned by Pennington County to allow the proposed lot sizes.

Periodic Inundation: Chapter 16.20.H of the Rapid City Municipal Code states that "any portion of the land in or adjacent to the subdivision subject to periodic inundation by storm drainage, overflow or ponding shall be clearly shown and identified on the plat. A significant portion of the property is located within the 100 year federally designated floodplain. The applicant has submitted topographic information identifying the boundaries of the floodplain. However, the plat document does not show the information. As such, staff is recommending that prior to Planning Commission approval of the Preliminary Plat, the plat document be revised to show the area of periodic inundation as required.

Wastewater: Chapter 16.16.050 of the Rapid City Municipal Code states that "sewer collection systems shall be installed in each subdivision within Rapid City and surrounding platting jurisdictions in accordance with City specifications". The applicant has indicated that each the property will be served by the existing individual on-site wastewater systems. In particular, the applicant has indicated that a septic tank and drainfield are located on each of the two lots serving the existing residences. 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. If the existing individual on-site wastewater systems are utilized as proposed, then an on-site wastewater

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plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval.

The Pennington County Planning Department has also indicated that upon submittal of a Final Plat application, a reserve area must be shown or a note must be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided.

Water: Chapter 16.16.050 of the Rapid City Municipal Code states that “the design and specifications of the water distribution system shall meet Rapid City requirements”. The applicant has submitted a site plan showing an existing private well located on each of the two proposed lots. Staff is recommending that upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. If the existing private water system is utilized, then an on-site water plan prepared by a Professional Engineer must be submitted for review and approval. In addition, the water plans must demonstrate that adequate fire and domestic flows are being provided. The plat document must also be revised to provide utility easements as needed.

Master Utility Plan: The City’s draft Master Utility Plan for the year 2030 shows sewer and water along South Canyon Road. Even though it may be 15 or more years before City utilities area available to this site, the applicant is required to provide dry sewer and water mains along Canyon Lake Road as a part of this plat review and approval or a Variance to the Subdivision Regulations must be obtained. Staff is recommending that a Master Utility Plan be submitted for review and approval prior to Preliminary Plat approval by the City Council. In addition, construction plans must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

South Canyon Road: South Canyon Road is located along the north lot line of the property and is classified as a principal arterial street requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, South Canyon Road is located within a minimum 100 foot wide right-of-way and constructed with an approximate 24 foot wide paved surface. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans for South Canyon Road be submitted for review and approval. In particular, the construction plans must show the street constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Wild Fire Mitigation Plan: 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 and the plan must be implemented.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be

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posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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 any public improvements, a Warranty Surety be submitted for review and approval if subdivision improvements are required.

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