

STAFF REPORT
May 8, 2008

No. 08PL038 - Preliminary Plat

ITEM 42

GENERAL INFORMATION:

APPLICANT	TK Engesser Investments LLC
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	TK Engesser Investments, LLC
REQUEST	No. 08PL038 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The NE1/4 of the SE1/4, less Lot H1 of the NE1/4 of the SE1/4, less Lot A of the NE1/4 of the SE1/4, less Lot PE1 of the NE1/4 of the SE1/4, and less a portion of a South Dakota owned Railroad Right-of-way, located in the NE1/4 of the SE1/4, Section 24, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 4 of Engessor Subdivison, located in the NE1/4 of the SE1/4, less Lot H1 of the NE1/4 of the SE1/4, less Lot A of the NE1/4 of the SE1/4, less Lot PE1 of the NE1/4 of the SE1/4, and less a portion of a South Dakota owned Railroad Right-of-way, located in the NE1/4 of the SE1/4, Section 24, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 37-45 acres
LOCATION	Southwest of the intersection of South Dakota Highway 44 and Radar Hill Road
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	Low Density Residential District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	3/27/2008
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

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

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1. Prior to Preliminary Plat approval by the Planning Commission, a master plan for the entire property shall be submitted for review and approval. In particular the master plan must identify efficient circulation of traffic, adequate access to adjoining properties, proper handling of storm water flows, and extension of public utilities;
2. Prior to Preliminary Plat approval by City Council, a drainage and grading plan must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to provide drainage easements as necessary;
3. Prior to Preliminary Plat approval by City Council, water system plans prepared by a Registered Professional Engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;
4. Prior to Preliminary Plat approval by City Council, a sewer plan 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 must be obtained;
5. Prior to Preliminary Plat approval by the City Council, the applicant shall revise the plat document dedicating an additional 17 feet of right-of-way along the west side of Radar Hill Road;
6. Prior to Preliminary Plat approval by the City Council, the applicant shall revise the plat document dedicating an additional 6 feet of right-of-way along the south side of Dunn Road;
7. Prior to Preliminary Plat approval by the City Council, plans for Radar Hill Road shall be submitted showing Radar Hill Road constructed with a minimum 36 feet wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, a non-access easement shall be identified along the eastern lot line of proposed Lot 2;
8. Prior to Preliminary Plat approval by the City Council, plans for Dunn Road must be submitted showing Dunn Road constructed with a minimum 40 feet wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
9. Prior to Preliminary Plat approval by the City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;
10. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
11. Upon submittal of a Final Plat application, surety shall be posted and subdivision inspection fees be paid as required;
12. Prior to Final Plat approval, portions of the property shall be rezoned or the lots shall be reconfigured to meet the minimum lot size requirements of the General Agricultural District or a Lot Size Variance shall be obtained; and,
13. Prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

GENERAL COMMENTS: (Update: April 29, 2008. All revised and/or added text is shown in bold.) This item was continued to the May 8, 2008 Planning Commission meeting to

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allow the applicant to submit the required information. On April 28, 2008 the applicant submitted additional information for review and approval. As such, staff recommends that the Preliminary Plat be approved with the above stated stipulations.

The applicant has submitted a Preliminary Plat to subdivide one parcel of land into four lots ranging in size from 7.43 acres to 10.01 acres and leaving the remaining portion of the property as an unplatted balance. In addition, the applicant has submitted a Variance to the Subdivision Regulations. (See companion item #08SV016.)

The property is located southwest of the intersection of Dunn Road and Radar Hill Road. The property is currently zoned General Agricultural District in Pennington County.

STAFF REVIEW:

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

Zoning: The property is currently zoned General Agricultural District in Pennington County which requires a minimum lot size of ten acres. The applicant should be aware that prior to Final Plat approval, portions of the property would have to be rezoned or the lots would have to be reconfigured to meet the minimum lot size requirements of the General Agricultural District or a Lot Size Variance would have to be obtained.

Drainage: As part of the Preliminary Plat application, a grading 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 prior to Planning Commission approval of a Preliminary Plat application, a drainage and grading plan must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary.

On April 28, 2008 the applicant indicated that they are requesting Variances to the Subdivision Regulations that would allow the applicant not to have to do any additional grading and no development is proposed at this time for the lots so no change in drainage is proposed. As such, staff is recommending that prior to City Council approval of this Preliminary Plat, a drainage and grading plan must be submitted for review and approval if subdivision improvements are required. In addition, the plat document must be revised to provide drainage easements as necessary.

Water Systems: Staff noted that no information on the water system was submitted with the Preliminary Plat. In addition, Public Works staff has indicated that Dunn Road is the proposed location of a 16 inch water main for a future high/low pressure zone. As such, staff is recommending that prior to Planning Commission approval of a Preliminary Plat application, water system plans prepared by a Registered Professional Engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows be submitted for review and approval or a Variance to the Subdivision Regulations must be

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obtained.

On April 28, 2008 the applicant indicated that private wells will be installed for the proposed lots. In addition, the applicant has submitted information demonstrating sufficient quantity for domestic flows. As such, staff is recommending that prior to City Council approval of this Preliminary Plat, water system plans prepared by a Registered Professional Engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Wastewater Disposal Systems: Staff noted that no information on the sanitary sewer system was submitted with the Preliminary Plat. As such, staff is recommending that prior to Planning Commission approval of a Preliminary Plat application, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval. If individual on-site waste water treatment systems are proposed, the applicant must submit the depth of the 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 treatment systems must be submitted for review and approval.

On April 28, 2008 the applicant indicated that individual on-site waste water treatment systems will be installed for the proposed lots and submitted percolation tests demonstrating that the soils are suitable for on-site wastewater treatment systems. Staff is recommending that prior to City Council approval of this Preliminary Plat, a sewer plan 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 must be obtained.

Radar Hill Road: Radar Hill Road is located along the eastern lot line of the proposed subdivision. Radar Hill Road is identified as a future arterial street on the Major Street Plan requiring a minimum 100 feet of right-of-way. The developer is responsible for constructing an arterial street to a collector street standard. Any expansion of the road beyond a collector street standard is considered over sizing and is not the developer's responsibility. Currently, Radar Hill Road is located in a 66 feet wide right-of-way with the north portion paved and the southern portion constructed with a gravel surface. As such, the applicant must dedicate an additional 17 feet of right-of-way along the west side of Radar Hill Road. There is no curb, gutter, street light conduit, water, sewer or sidewalks currently constructed in Radar Hill Road. The applicant has requested a Variance to the Subdivision Regulations (#08SV016) to waive the requirements to improve Radar Hill Road in conjunction with this plat request. As such, staff recommends that prior to Preliminary Plat approval by the City Council, plans for Radar Hill Road must be submitted showing Radar Hill Road constructed with a minimum 36 feet wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer or a Variance to the Subdivision Regulations must be obtained. In addition, a non-access easement shall be identified along the eastern lot line of proposed Lot 2 as no access will be allowed onto this portion of Radar Hill Road.

Dunn Road: Dunn Road is located along the northern lot line of proposed subdivision. Dunn Road is identified on the City's Major Street Plan as a future collector street requiring that it

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be located in a minimum 72 feet wide right-of-way and constructed with a minimum 40 feet wide paved surface with parking on both sides of the street, curb, gutter, sidewalk, street light conduit and water. Currently, Dunn Road is located in a 66 feet wide right-of-way with a paved surface. **As such, the applicant will have to dedicate an additional 6 feet of right-of-way along the south side of Dunn Road.** There is no curb, gutter, street light conduit, water, sewer or sidewalks currently constructed in Dunn Road. The applicant has requested a Variance to the Subdivision Regulations (#08SV016) to waive the requirements to improve Dunn Road in conjunction with this plat request. As such, staff recommends that prior to Preliminary Plat approval by the City Council, plans for Dunn Road must be submitted showing Dunn Road constructed with a minimum 40 feet wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Master Plan: On January 21, 1991, City Council adopted a resolution to establish a policy to request a proposed master plan for surrounding property prior to plat approval. A master plan for the entire property must be submitted for review and approval prior to Preliminary Plat approval by the Planning Commission. In particular the master plan must identify efficient circulation of traffic, adequate access to adjoining properties, proper handling of storm water flows, and extension of public utilities.

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 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 Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

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 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 addition, 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.

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