

STAFF REPORT
June 4, 2009

No. 09PL022 - Layout Plat

ITEM 9

GENERAL INFORMATION:

APPLICANT	Frederick and Arlene White
AGENT	Steven O. Thingelstad for Britton Engineering and Land Surveying, Inc.
PROPERTY OWNER	Frederick White
REQUEST	No. 09PL022 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lots 7 and 8 of Block 2 of Green Valley Estates, located in the SE1/4 of Section 23, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 7R of Block 2 of Green Valley Estates, located in the SE1/4 of Section 23, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.458 acres
LOCATION	5811 Green Tree Drive
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Private well and private on-site wastewater system
DATE OF APPLICATION	5/8/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, the applicant shall identify and secure Major Drainage Easements as needed to limit development or encroachments into the 100 year Federally designated floodplain as per the City's adopted Flood Area Construction Regulations. In addition, a Floodplain Development Permit shall be obtained prior to the start of any construction within the 100 year Federally designated floodplain;

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2. Upon submittal of a Preliminary Plat application, construction plans for Green Tree Drive shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the cul-de-sac bulb shall be located within a minimum 110 foot diameter right-of-way and constructed with a minimum 96 foot wide diameter paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. The plat document shall also be revised to provide an additional five feet of right-of-way for the cul-de-sac bulb or a Variance to the Subdivision Regulations shall be obtained;
3. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide a shared approach for the existing driveway located between Lot 8 and Lot 9. In addition, the shared approach shall not exceed 40 feet by 40 feet or construction plans shall be submitted for review and approval showing the driveway constructed to City Street Design Standards with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer and located within a minimum 45 foot wide right-of-way or a Variance to the Subdivision Regulations shall be obtained;
4. 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 or a Variance to the Subdivision Regulations shall be obtained. If a private water system is utilized, then an on-site water plan prepared by a Professional Engineer shall be submitted for review and approval. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements 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 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 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. In addition, information shall be provided identifying the condition and location of the existing wastewater system including flood proofing measures;
6. Upon submittal of a Preliminary Plat application, a utility master plan including existing and proposed public and private utilities shall be submitted for review and approval. In addition, the applicant shall demonstrate that water and sewer extensions are being provided through the property in accordance with the Green Valley Sanitary District's Master Utility Plan or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to provide utility easements as needed;
7. Upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval for any required subdivision improvements;
8. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with Drainage Criteria Manual shall be submitted for review and approval for any subdivision improvements;
9. Upon submittal of a Preliminary Plat application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if any subdivision improvements are required;
10. Prior to submittal of a Preliminary Plat application, the plat document shall be revised to provide a minimum 8 foot wide minor drainage and utility easement along all of the

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- interior lot lines. In addition, the existing shed shall be relocated and/or removed in part to eliminate encroaching into this 8 foot wide area or the applicant shall obtain approval by the City Engineer to reduce the width of the easement for the area of the shed;
11. 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;
 12. Prior to submittal of a Final Plat application, the plat document shall be revised to show the Certificates of Title for a Final Plat in lieu of a Minor Plat;
 13. 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;
 14. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 15. The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to reconfigure two lots into one lot. The two lots are currently identified as Lots 7 and 8 of Block 2 of Green Valley Estates. As a result of this plat, the property will be known as Lot 7R of Block 2 of Green Valley Estates.

The property is located at the northern terminus of Green Valley Drive. Currently, a single family residence is located across the common lot line between Lots 7 and 8. In addition, an accessory structure is located in the northern portion of Lot 8.

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 whereby 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 an exception whichever is applicable.

STAFF REVIEW:

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

Floodplain: The entire property is located within the 100 year Federally designated floodplain as per the Pennington County Flood Insure Rate Map administered by the Federal Emergency Management Agency. The map does not identify the area of the hydraulic floodway within the 100 year Federally designated floodplain. Chapter 15.32.200.A of the City's adopted

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Flood Area Construction Regulations states that “all subdivisions shall be consistent with the need to minimize flood damage”. In addition, Chapter 15.32.220 states that encroachments shall be prohibited within the floodway, including fill, new construction, substantial improvements and other development unless a technical evaluation by a Professional Engineer demonstrates that the encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge. As such, upon submittal of a Preliminary Plat application, the applicant must identify and secure Major Drainage Easements as needed to limit development or encroachments into the 100 year Federally designated floodplain as per the City’s adopted Flood Area Construction Regulations. In addition, a Floodplain Development Permit must be obtained prior to the start of any construction within the 100 year Federally designated floodplain.

Green Tree Drive: Green Tree Drive, a cul-de-sac street, is located along the east lot line of the property and serves as access to the site. Green Tree Drive is classified as a Lane Place Street requiring that it be 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. In addition, the cul-de-sac bulb must be located within a minimum 110 foot wide diameter right-of-way and constructed with a minimum 96 foot wide diameter paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Green Tree Drive is located within a 66 foot wide right-of-way and constructed with an approximate 24 foot wide paved. In addition, the cul-de-sac bulb is located within a 100 foot diameter right-of-way and constructed with an approximate 24 foot wide paved surface.

Upon submittal of a Preliminary Plat application, construction plans for Green Tree Drive must be submitted for review and approval as identified or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document must be revised to provide an additional five feet of right-of-way for the cul-de-sac bulb or a Variance to the Subdivision Regulations must be obtained.

Shared Driveway: Currently a shared driveway is located along the common lot line of Lots 8 and 9. As such, upon submittal of a Preliminary Plat application, the plat document must be revised to provide a shared approach for the existing driveway. In addition, the shared approach must not exceed 40 feet by 40 feet or construction plans must be submitted for review and approval showing the driveway constructed to City Street Design Standards with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer and located within a minimum 45 foot wide right-of-way or a Variance to the Subdivision Regulations must be obtained.

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 the property is currently being served by an on-site septic tank and drainfield. The location of the drainfield has not been shown on the site plan.

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 must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. If individual on-site wastewater systems are utilized, then an on-site

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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. In addition, information must be provided identifying the condition and location of the existing wastewater system including flood proofing measures.

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: The applicant has submitted a site plan showing an existing well located on Lot 8 that currently serves the property. To date, the applicant has not submitted any well data demonstrating that adequate fire and domestic flows are being provided. As such, staff recommends 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 a 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 property is located within the Green Valley Sanitary District's service area. As such, upon submittal of a Preliminary Plat application, the applicant must demonstrate that water and sewer extensions are being provided through the property in accordance with the Green Valley Sanitary District's Master Utility Plan or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document must be revised to provide utility easements as needed.

The applicant must also provide a utility master plan including all of the existing and proposed public and private utilities. In addition, the plat document must be revised to provide utility easements as needed.

Minor Drainage and Utility Easement: Currently, the accessory structure on Lot 8 is located approximately 2 feet from the side lot line. The Pennington County Planning Department has indicated that any expansion to the existing accessory structure will require that a Variance be obtained from the County's Zoning Board of Adjustment to reduce the required side yard setback from five feet to two feet. In addition, as a part of platting the property, a minimum 8 foot minor drainage and utility easement must be dedicated along all of the interior lot lines unless the City Engineer approves a reduction in the width of the easement as per Chapter 16.12.200.A of the Rapid City Municipal Code.

Prior to submittal of a Preliminary Plat application, the plat document must be revised to provide a minimum 8 foot wide minor drainage and utility easement along all of the interior lot lines. In addition, the existing shed must be relocated and/or removed in part to eliminate encroaching into this 8 foot wide area or the applicant must obtain approval by the City Engineer to reduce the width of the easement for the area of the shed.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality

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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 Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval for any subdivision improvements.

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 must 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 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.