

STAFF REPORT
May 6, 2010

No. 10PL014 – Layout and Preliminary Plat

ITEM 7

GENERAL INFORMATION:

APPLICANT	Darryl Johnson
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Darryl Johnson
REQUEST	No. 10PL014 – Layout and Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 14 of Feay Reder Subdivision, located in the N1/2 NW1/4 of Section 36, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 14A and 14B of Lot 14 of Feay Reder Subdivision, located in the N1/2 NW1/4 of Section 36, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.85 acres
LOCATION	9850 Sheridan Lake Road
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Cistern and septic tank and drainfield
DATE OF APPLICATION	3/12/2010
REVIEWED BY	Ali DeMersseman / Ted Johnson

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, road construction plans for the section line highway located along the north lot line shall be submitted for review and approval. In particular, the construction plans shall show the street located within a 49 foot right-of-way, and constructed with a 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance**

STAFF REPORT
May 6, 2010

No. 10PL014 – Layout and Preliminary Plat

ITEM 7

- to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, road construction plans for Sheridan Lake Road shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 100 foot wide right of-way and constructed with a 48 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 3. Prior to Preliminary Plat approval by the City Council, a grading and drainage plan, as well as an erosion and sediment control plan shall be submitted for review and approval if subdivision improvements are required;
 4. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 5. Prior to submittal of a Final Plat application, reserve drainfield areas 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;
 6. Prior to submittal of a Final Plat application, the existing shed shall be removed from the major drainage easement;
 7. Prior to submittal of a Final Plat application, the Wild Fire Mitigation Plan shall be revised and resubmitted for review and approval;
 8. 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;
 9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 10. The approved Preliminary 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:

(Update, April 28, 2010. All revised and/or added text is shown in bold print.) This item was continued to the May 6, 2010 Planning Commission meeting in order to allow the applicant to submit revised plans, address redline comments, and provide additional information. On April 21, 2010, the applicant submitted revised plans, a revised plat document, additional drainage information, and a wild fire mitigation plan.

(Update, April 13, 2010. All revised and/or added text is shown in bold print.) This item was continued to the April 22, 2010 Planning Commission meeting in order to allow the applicant to submit revised plans, address redline comments, and provide additional information. As of this writing, the above noted information has not been submitted for review and approval. As such, staff recommends that this item be continued to the May 6, 2010 Planning Commission meeting.

The applicant has submitted a Layout and Preliminary Plat to subdivide the property into two

STAFF REPORT
May 6, 2010

No. 10PL014 – Layout and Preliminary Plat

ITEM 7

lots, 14A and 14B of Lot 14 of Feay Reder Subdivision, which measure 1.46 acres and 1.26 acres, respectively.

The applicant has submitted an associated Subdivision Variance request (No. 10SV005) to waive the requirement to dedicate right-of-way, construct pavement, curb, gutter, sidewalk, street light conduit, water, and sewer along the adjacent section line highway and to reduce the required pavement width from 48 feet to 22 feet, to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, and sewer along Sheridan Lake Road as per Chapter 16.16 of the Rapid City Municipal Code.

The property is located approximately 1,000 feet east of the intersection of Victoria Lake Road and Sheridan Lake Road. Proposed Lot 14A is currently developed with a single-family residence and two sheds. Proposed Lot 14B is currently developed with a caretaker's residence, a detached garage, and one shed.

STAFF REVIEW: Staff has reviewed the Preliminary Plat application and noted the following considerations:

Approach: The plat document and site plan identify a 40 foot by 40 foot shared approach easement along the common lot line of proposed Lots 14A and 14B. However, the submitted site plan does not identify existing approaches on the adjacent properties or on the opposite side of Sheridan Lake Road. Therefore, staff is unable to determine if the proposed approach meets the minimum separation requirements between approach locations as per Sections 8.2.2 and 8.2.4 of the Street Design Criteria Manual. As such, staff recommends that this item be continued to allow the applicant to submit a revised site plan that identifies the existing approach locations at the adjacent properties.

(Update: April 28, 2010) The applicant submitted a revised site plan that identifies the existing approach locations at the adjacent properties. The proposed approach meets the minimum separation requirements of the Street Design Criteria Manual.

Redline Comments: Staff recommends that prior to Preliminary Plat approval, all redline comments made on the site plan and plat document must be addressed and resubmitted to the Growth Management Department for review and approval.

(Update: April 28, 2010) The applicant has submitted a revised site plan and plat document that addresses all redline comments.

Drainage: The applicant submitted a drainage report and has dedicated a major drainage easement on the plat document. Staff has reviewed the drainage information and indicated that the proposed major drainage easement can accommodate anticipated flows. However, the site plan indicates that there is a shed located in the major drainage easement. As such, staff recommends that prior to submittal of a Final Plat application, the shed be removed from the major drainage easement.

Non-Access Easement: Staff has indicated that the Preliminary Plat document must be revised to show a non-access easement along the southern boundary of the property, which abuts Sheridan Lake Road with the exception of the shared approach location. As such, staff

STAFF REPORT
May 6, 2010

No. 10PL014 – Layout and Preliminary Plat

ITEM 7

recommends that prior to Preliminary Plat approval, the plat document is revised to show a non-access easement along Sheridan Lake Road as it abuts the property.

(Update: April 28, 2010) The applicant has submitted a revised plat document that shows a non-access easement along Sheridan Lake Road as it abuts the property.

Lot Configuration: Section 16.12.190 of the Rapid City Municipal Code states that “lots in residential districts having a width of not more than 150 feet, the lot length shall not be greater than twice the lot width.” Both proposed lots exceed the length to width requirement. Therefore, the applicant has submitted an Exception to this requirement. The Exception request (No. 10EX032) was approved on March 30, 2010.

East-West Section Line Highway: An undeveloped section line highway abuts the north lot lines of both proposed lots requiring that the street be constructed within a 49 foot right-of-way width, with a 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. Staff has noted that this portion of section line highway services National Forest Property. South Dakota Codified Law 31-18-3 does not allow the vacation of section line highway adjacent to public lands. As such, staff recommends that prior to Preliminary Plat approval, road construction plans for the section line highway located along the north lot line be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Sheridan Lake Road: Sheridan Lake Road is located along the southern lot line of the property and is classified as a principal arterial street on the City’s Major Street Plan requiring that the street be located in a minimum 100 foot wide right-of-way and constructed with a 48 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Sheridan Lake Road is located in a 66 foot wide right-of-way and constructed with a 22 foot wide paved surface. In addition, curb, gutter, sidewalk, street light conduit, water and sewer mains are absent from this section of Sheridan Lake Road.

The submitted plat document identifies an additional 17 foot wide right-of-way dedication along Sheridan Lake Road where it abuts the property, meeting the right-of-way width requirement of the arterial street. As such, prior to Preliminary Plat approval, staff recommends that road construction plans for the arterial street Sheridan Lake Road be submitted for review and approval, which show the street constructed with a minimum 48 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Zoning: The property is currently zoned Suburban Residential District by Pennington County. The minimum required area for lots served by private water and wastewater systems is 20,000 square feet. Proposed Lot 14A measures 63,795 square feet and proposed Lot 14B measures 54,777 square feet, meeting the minimum lot size requirements of the Suburban Residential District. In addition, the Sheridan Lake Road Future Land Use Plan identifies the property with a Planned Residential Development with 1.5 dwelling units per acre. Therefore, the proposal is also in conformance with the Rapid City Future Land Use Plan.

Easements: Section 16.12.200 of the Rapid City Municipal Code states that “Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where

STAFF REPORT
May 6, 2010

No. 10PL014 – Layout and Preliminary Plat

ITEM 7

necessary and shall not be less than 20 feet wide total unless otherwise approved by the City Engineer.” Generally, the City Engineer has supported an 8 foot wide minor drainage and utility easement being secured along all interior lot lines. Subsequently, a note on this Preliminary Plat identifies a “Utility and Minor Drainage Easement 8 feet on the interior sides of all lot lines.”

Wastewater: Section 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 City’s Master Utility Plan identifies the property as outside the “Tier One” boundary. Therefore, it may be 15 or more years before City utilities are available to this property.

The applicant has indicated that each lot 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 recommends that prior to Preliminary Plat approval, 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 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 has also indicated that prior to Preliminary Plat approval, a reserve drainfield area must be identified on the plat, unless a public sewer system is provided.

(Update: April 28, 2010) The applicant has submitted a wastewater plan that shows that the soils are suitable for on-site wastewater systems. However, the applicant has not identified a reserve drainfield area on the plat. As such, staff recommends that prior to submittal of a Final Plat application, reserve drainfield areas for on-site wastewater treatment be shown on the plat or a note 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.

Water: Section 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 cisterns serving each proposed lot. Staff recommends that prior to Preliminary Plat approval, 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 an on-site water system is used, data to confirm that the system has sufficient domestic flows must be submitted for review and approval.

(Update: April 28, 2010) The applicant has indicated that the existing on-site water system consists of a 1,800 gallon cistern for the primary residence with a pump

STAFF REPORT
May 6, 2010

No. 10PL014 – Layout and Preliminary Plat

ITEM 7

capacity of 40 gallons per minute. The caretaker's residence utilizes a 1,200 gallon cistern with a pump capacity of 35 gallons per minute.

Fire Protection: The Pennington County Fire Department has indicated that the applicant must post addresses at the road and driveway, which are visible from either direction and have 6 inch high numbers with contrasting colors.

The Rapid City Fire Department has indicated that fire sprinkler protection will not be required for the existing residential structures at this time, as the development has been completed prior to the subdivision of the property. In addition, 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.

(Update: April 28, 2010) The applicant has submitted a Wild Fire Mitigation Plan. Fire Prevention staff has indicated that revisions must be made to the submitted Wild Fire Mitigation Plan. As such, staff recommends that prior to submittal of a Final Plat application, the necessary revisions must be made to the Wild Fire Mitigation Plan and the plan must be resubmitted for review and approval.

Register of Deeds: The Register of Deed's Office has suggested that the plat title be revised to read "Lots 14A and 14B" in lieu of "Lots 14A and 14B of Lot 14". Since this is a suggestion and not a recommendation, it is at the applicant's discretion to change the plat title as suggested.

Stormwater Management Plan: The City Council recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that prior to Preliminary Plat approval by the Planning Commission, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

Cost Estimate: Prior to Preliminary Plat approval by the City Council, a cost estimate of any required subdivision improvements must 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 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

STAFF REPORT
May 6, 2010

No. 10PL014 – Layout and Preliminary Plat

ITEM 7

recommends 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 Layout and Preliminary Plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.