

STAFF REPORT
October 21, 2010

No. 10PL073 - Layout Plat

ITEM 25

GENERAL INFORMATION:

APPLICANT	James Steele
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	James Steele
REQUEST	No. 10PL073 - Layout Plat
EXISTING LEGAL DESCRIPTION	That portion of the SE1/4 SE1/4 SE1/4 of Section 25, T2N, R6E, lying South and West of Lot H-1 of said SE1/4 SE1/4 SE1/4, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of S and S Subdivision located in the SE1/4 of Section 25, T2N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.4 acres
LOCATION	along the south side of Sun Ridge Road west of the intersection of Sun Ridge Road and Aztec Drive
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private on-site wastewater and well
DATE OF APPLICATION	9/24/2010
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Upon submittal of the Preliminary Plat application, road construction plans for Sun Ridge Road shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained;

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2. Upon submittal of the Preliminary Plat application, road construction plans for the section line highway shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. The adjacent property owner shall participate in the platting or vacation of the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way. In particular, the road shall 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 or a Variance to the Subdivision Regulations shall be obtained;
3. Upon submittal of the Preliminary Plat application, a grading plan and a drainage plan shall be submitted for review and approval. In addition, the plat shall be revised to show drainage easements as needed;
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.
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 proposed, 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;
6. Upon submittal of the Preliminary Plat application, a cost estimate for the subdivision improvements shall be submitted for review and approval;
7. Upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
8. 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. In addition, the note currently shown on the plat shall be removed stating that "on-site wastewater disposal systems shall be mound systems, holding tanks or evapotranspiration systems only if percolation and profile information is not sufficient for conventional systems";
9. Upon submittal of a Final Plat application, surety shall be posted and subdivision inspection fees shall be paid as required;
10. Prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required; and,
11. 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 create a 4.4 acre lot leaving a 74.35 acre

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unplatted balance. The lot is to be known as Lot 1 of S and S Subdivision. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #10SV021) to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along Sun Ridge Road and the section line highway and to waive the requirement to dedicate right-of-way along the section line highway.

On August 4, 2008, the City Council approved a Layout Plat (File #08PL084) to create two lots, which included this property. In addition, a Variance to the Subdivision Regulations (File #08SV033) was approved to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along Sun Ridge Road and the section line highway with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements and that Sun Ridge Road be constructed with a minimum 24 foot wide chip seal surface. An Exception was also granted to allow 44 dwelling units with one point of access in lieu of a maximum of 40 dwelling units. However, since no grading, construction or other improvements was initiated within two years of the date of approval, the Layout Plat has expired.

On March 3, 2009, the Pennington County Zoning Board of Adjustment approved a Variance to reduce the minimum lot size requirement in the Limited Agriculture District from 10 acres to 4.4 acres for the proposed lot as shown on this plat document.

The property is located along the south side of Sun Ridge Road, west of the intersection of Sun Ridge Road and Aztec Drive. Currently, the property is void of any structural development.

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 Layout Plat and has noted the following considerations:

Zoning: The property is currently zoned Limited Agricultural District in Pennington County which requires a minimum 10 acre lot size. As previously noted, the Pennington County Zoning Board of Adjustment has granted a Variance to reduce the minimum lot size requirement in the Limited Agriculture District from 10 acres to 4.4 acres for the proposed lot as shown on this plat document.

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

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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 recommends that upon submittal of the Preliminary Plat application, a drainage and grading plan be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary.

Water: The applicant has indicated that the proposed lot will be served by an individual well. Chapter 16.16.040 states that if a well is to serve more than one lot, a public water system is required. The design and specifications of the distribution system have not been submitted for review and approval. In addition, water data has been submitted demonstrating that the well can provide adequate domestic and fire flows.

Upon submittal of a Preliminary Plat application, 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 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. If adequate fire flows cannot be provided, then the Pennington County Fire Coordinator has strongly encouraged the installation of an approved residential fire sprinkler system in each residential structure.

Sewer: 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 proposed lot will be served by an individual on-site wastewater system.

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 an individual on-site wastewater system is utilized, 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. The applicant should be aware that dry sewer must be provided even if on-site wastewater systems are proposed to be utilized in the interim in accordance with the provisions of Chapter 16.16.050 of the Rapid City Municipal Code. The recently completed Source Water Protection Study recommends the installation of dry sewer mains in accordance with the adopted City Standards rather than approving Variances to waive the requirement to insure connection to a central sewer system once the adjacent properties develop and the dry sewer can be connected to the City's system. In addition, the Rapid City's Master Utility Plan identifies the property within "Tier One" indicating that the property is in the area where public sewer is anticipated to be extended within 20 years.

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

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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.

Sun Ridge Road: Sun Ridge Road is located along the north lot line of the property and is classified as a collector street on the City's Major Street Plan requiring that it be located within a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Sun Ridge Road is located within a 60 foot wide right-of-way and constructed with a 24 foot wide chip seal surface.

Staff recommends that upon submittal of the Preliminary Plat application, road construction plans for Sun Ridge Road be submitted for review and approval. In particular, the road construction plans must show the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: An unimproved section line highway is located along the south lot line of the property and is classified as lane place street requiring that it be located within 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 or a Variance to the Subdivision Regulations must be obtained. The applicant also has the option of vacating the section line highway; however, portions of the section line highways are located on adjacent properties under different ownerships than the property being platted. As such, the adjacent property owners must participate in the vacation or the platting of the section line right-of-way or a Variance to the Subdivision Regulations to allow platting half a right-of-way must be obtained. Staff is recommending that the section line highway issue be addressed as identified prior to submittal of a Preliminary Plat application.

Forty Dwelling Units: Currently, Sun Ridge Road serves as exclusive access to 43 residential lots. The proposed Layout Plat will result in 44 lots with one exclusive point of access. On August 16, 2000, the City Council approved an amendment to the Street Design Criteria Manual stating that "...a street shall not provide exclusive access to more than forty (40) dwelling units. A second street access shall be provided when more than forty (40) dwelling units are exclusively accessed from a street." The applicant has subsequently submitted an Exception request to allow 44 dwelling units with one point of access in lieu of a maximum of 40 dwelling units.

As previously noted, a similar Exception was granted during the review of the Layout Plat to create two lots. At that time, staff noted that the H-Lot previously created to extend Sun Ridge Road through the property created a nontransferable parcel. Subsequently, on September 30, 2010, staff reviewed and approved an Exception Request (#10EX165) to allow 44 dwelling units in lieu of 40 dwelling units with one point of access.

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 City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if subdivision

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improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

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. Upon submittal of a Final Plat application, surety must 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. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

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