

STAFF REPORT
September 22, 2011

No. 11PL047 - Layout Plat

ITEM 12

GENERAL INFORMATION:

APPLICANT	Delbert and Shirley Stover
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Delbert Stover
REQUEST	No. 11PL047 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 4 of Block 3 of Nielsen Subdivision located in Section 18, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 4A and 4B of Block 3 of Nielsen Subdivision
PARCEL ACREAGE	Approximately 2.61 acres
LOCATION	6280 Tittle Springs Place
EXISTING ZONING	General Commercial District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Park Forest District
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Canyon Sewer System and private well
DATE OF APPLICATION	8/26/2011
REVIEWED BY	Vicki L. Fisher / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Layout Plat be approved with stipulations:

1. Prior to submittal of a Preliminary Plat application, an Exception shall be obtained to allow 120 dwelling units with one point of access in lieu of a maximum of 40 dwelling units as per the Street Design Criteria Manual or the plat document shall be revised to provide a second point of access;
2. Prior to submittal of a Preliminary Plat application, the applicant shall submit a request and obtain approval from the City Engineer to allow a six foot wide minor drainage and utility easement along the interior side of all lot lines or the plat document shall be revised to provide a minimum 8 foot wide minor drainage and utility easement pursuant to Chapter 16.12.200 of the Rapid City Municipal Code;

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3. Upon submittal of the Preliminary Plat application, road construction plans for Tittle Springs Lane shall be submitted for review and approval. In particular, the road construction plans shall show the street 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, sewer and water or a Variance to the Subdivision Regulations shall be obtained to waive the required street improvements and an Exception shall be obtained to allow an easement to serve 7 lots in lieu of a maximum of 4 lots as per the Street Design Criteria Manual;
4. Upon submittal of the Preliminary Plat application, road construction plans for S.D. Highway 44 West shall be submitted for review showing the street constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained to waive the requirement to provide water and sewer and an Exception shall be obtained to waive the requirement to provide curb, gutter, sidewalk and street light conduit;
5. Upon submittal of the Preliminary Plat application, road construction plans for the two access easements shall be submitted for review and approval. In particular, the road construction plans shall show the street located within a minimum 49 foot wide easement 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;
6. 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.
7. 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 the applicant connects to the Rapid Canyon Sewer District as proposed, then written approval from Rapid Canyon Sewer District to allow the proposed sewer extension and that adequate sewer capacity exists shall be submitted for review and approval;
8. Upon submittal of a Preliminary Plat application, a Master Utility Plan showing public and private utilities shall be submitted for review and approval;
9. Upon submittal of a Preliminary Plat application, a drainage plan and a grading plan shall be submitted for review and approval if subdivision improvements are required or site grading is proposed;
10. 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 if subdivision improvements are required;
11. Upon submittal of a Preliminary Plat application, the Wild Fire Mitigation Plan shall be approved by the Fire Department. In addition, prior to submittal of a Final Plat application, the Wild Fire Mitigation Plan shall be implemented;
12. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide a non-access easement along Tittle Springs Place in compliance with the Street Design Criteria Manual;
13. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision

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- improvements shall be submitted for review and approval;
14. Upon submittal of a Preliminary Plat application, the applicant shall submit written documentation identifying maintenance responsibility of Tittle Springs Place and the two access easements;
 15. Prior to Preliminary Plat approval by the City Council, the property shall be annexed into the City limits of Rapid City;
 16. 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;
 17. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 18. 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 subdivide a 2.61 acre parcel into two lots sized 1.76 acres and 0.84 acres, respectively. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #11SV015) to waive the requirement to install curb, gutter, sidewalk, street light conduit and water, to reduce the pavement width from 24 feet to 10 feet and to reduce the easement width from 49 feet to 30 feet for Tittle Springs Place; to waive the requirement to install water and sewer along S.D. Highway 44 West; and, to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the access easements and to reduce the width of the access easement from 49 feet to 40 feet as they abut the property.

The property is located south of S.D. Highway 44 West and north of Tittle Springs Place. Currently, a residence and three accessory structures are located on proposed Lot 4A and a commercial structure is located on proposed Lot 4B.

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:

Forty Unit Rule: 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

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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". Currently, 119 lots are accessed from Dark Canyon Road which provides exclusive access to the area. Platting the property as proposed will result in 120 dwelling units with one point of access. As such prior to submittal of a Preliminary Plat application, an Exception must be obtained to allow 120 dwelling units with one point of access in lieu of a maximum of 40 dwelling units as per the Street Design Criteria Manual or the plat document must be revised to provide a second point of access.

Annexation/Zoning: In May, 1983, the City Council approved a resolution requiring all properties that are contiguous to Rapid City which are being platted to be annexed into the city limits of Rapid City prior to Preliminary Plat approval. As such, staff is recommending that the property be annexed accordingly.

Upon annexation, the property will be zoned No Use District. The City's adopted Future Land Use Plan identifies the appropriate land use of the property as a Planned Residential Development with 1 dwelling unit per 10 acres. The applicant should be aware that prior to issuance of a residential building permit, the property must be rezoned to Low Density Residential District and an Initial and Final Planned Residential Development must be submitted for review and approval. In addition, an Exception must be obtained to allow 120 dwelling units with one point of access in lieu of a maximum of 40 dwelling units. (Please note that the applicant has indicated that the commercial structure located on proposed Lot 4B will be converted into a residence which is a permitted use in the Low Density Residential District.)

Water: The applicant has indicated that the proposed lots will be served by individual well(s). 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.

Staff recommends that 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 sewer will be extended to connect with the Rapid Canyon Sewer District located east of the property.

Staff recommends that upon submittal of a Preliminary Plat application, sewer plans

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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 applicant connects to the Rapid Canyon Sewer District, then written approval from Rapid Canyon Sewer District to allow the proposed sewer extension and verifying that adequate sewer capacity exists must be submitted for review and approval.

S.D. Highway 44 West: S.D. Highway 44 West is located along the north lot line and is classified as a principal arterial street requiring that it be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface. Currently, S.D. Highway 44 West is located within a minimum 100 foot wide right-of-way and constructed with an approximate 36 foot wide paved surface. Upon submittal of the Preliminary Plat application, road construction plans for S.D. Highway 44 West must be submitted for review showing the street constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained to waive the requirement to provide water and sewer and an Exception must be obtained to waive the requirement to provide curb, gutter, sidewalk and street light conduit.

Tittle Springs Place: Tittle Springs Place is located along the south lot line of the property and is classified as a 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. Currently, Tittle Springs Place is located within a 30 foot wide private access easement and constructed with an approximate 12 foot wide graveled surface. The Layout Plat identifies the dedication of nine additional feet along the easement for a total width of 49 feet. The Street Design Criteria Manual states that an easement may serve up to four lots. With the proposed subdivision of this property, the easement will serve five lots. As such, prior to submittal of a Preliminary Plat application, an Exception must be obtained to allow the access easement to serve five lots in lieu of four lots or the plat document must be revised accordingly. Staff also recommends that upon submittal of the Preliminary Plat application, road construction plans for Tittle Springs Place 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.

Access Easements: A 40 foot wide access easement exists along the east lot line of proposed Lot 4B. In addition, a proposed 40 foot wide to 60 foot wide access easement and a 40 foot by 40 foot shared approach is proposed along the common lot line of Proposed Lot 4A and 4B as they abut Tittle Springs Place. Both easements are classified as lane place streets requiring that they be constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. The easement along the east lot line of proposed Lot 4B is constructed with an approximate 20 foot wide paved surface. The easement along the common lot line is constructed with an approximate 10 foot wide gravel road.

Staff recommends that upon submittal of the Preliminary Plat application, road construction plans for the two access easements be submitted for review and approval. In particular, the road construction plans shall must the streets located within a minimum 49 foot wide right-

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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.

Minor Drainage and Utility Easements: Chapter 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 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. A note on the Layout Plat identifies a "6 foot Utility and Minor Drainage Easement on the interior side of all lot lines." Prior to submittal of a Preliminary Plat application, the applicant must submit a request to the City Engineer to allow the 6 foot wide easement or the plat document must be revised accordingly.

Drainage/Grading: As part of the Preliminary Plat application, a grading plan for all improved areas and a drainage plan must be submitted for review and approval if subdivision improvements are required. 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 if subdivision improvements are required. In addition, the plat document must be revised to provide drainage easements as necessary.

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

Wild Fire Mitigation Plan: The property is located within a high Wild Fire area. As such, the applicant has submitted a Wild Fire Mitigation Plan which is currently being reviewed by the Fire Department. Prior to submittal of a Preliminary Plat application, the Wild Fire Mitigation Plan must be approved by the Fire Department. In addition, prior to submittal of a Final Plat application, the Wild Fire Mitigation 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 posted. Upon submittal of a Final Plat application, surety must be posted and subdivision inspection fees be paid as required.

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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.