

STAFF REPORT
February 25, 2016

No. 16PL004 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT	Joseph Carlin
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Joseph A. Carlin
REQUEST	No. 16PL004 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lot 11 Less the east 165.9 feet of the south 334.43 feet of Carlin Subdivision located in the NW1/4 of the SE1/4 of Section 11, T1N, R8E, BHM, Rapid City, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 11A, Lot 11B Lot 11C and Lot 11D of Lot 11 of Carlin Subdivision
PARCEL ACREAGE	Approximately 13.4 acres
LOCATION	North of the intersection of Carlin Street and Crane Drive
EXISTING ZONING	Suburban Residential District (Pennington County)
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	General Agricultural District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	January 13, 2016
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to address redlined comments. In addition, the redlined comments shall be returned with the Development Engineering Plan application;
2. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for

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- construction approval shall be executed. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
3. Upon submittal of a Development Engineering Plan application, construction plans for Carlin Street shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water mains with one additional foot of right-of-way or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 4. Upon submittal of a Development Engineering Plan application, construction plans for a future collector street located along the north lot line as per the City's Major Street Plan shall be submitted for review and approval. In particular, the construction plans shall show the dedication of the south half of the 68 foot wide right-of-way, or 34 feet, and constructed with a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water mains or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 5. If an Exception to waive the 34 foot wide right-of-way for the future collector street located along the north lot line is not obtained, then a Variance shall be obtained from the Pennington County Zoning Board of Adjustment to reduce the minimum 25 foot wide setback for the existing structures located on proposed Lot 11A to the street right-of-way. In addition, a copy of the approved Variance shall be submitted with the Final Plat application;
 6. Upon submittal of a Development Engineering Plan application, a complete site plan shall be submitted for review and approval identifying the structures located on the property to ensure compliance with the Pennington County Zoning Ordinance. In addition, the site plan shall include the location of all wells, water service lines, on-site wastewater treatment systems and drainfields to ensure that setback requirements and utility easements are being provided as needed. Prior to approval of the Development Engineering Plan application, any land use issues shall be resolved with Pennington County;
 7. Upon submittal of a Development Engineering Plan application, a drainage plan shall be submitted for review and approval if subdivision improvements are required. The drainage plan shall address storm water quantity control and storm water quality treatment, in conformance with the Infrastructure Design Criteria Manual and Rapid City Municipal Code. The drainage plan shall also address how drainage from the proposed development will be mitigated as to not impact the Hawthorne Ditch. In addition, the plat document shall be revised to provide drainage easements as necessary;
 8. Upon submittal of a Development Engineering Plan application, geotechnical analysis and pavement design shall be submitted for review and approval if applicable;
 9. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual and a grading plan shall be submitted for review and approval if subdivision improvements are required;

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10. Upon submittal of a Development Engineering Plan application, water and sewer plans prepared by a Registered Professional Engineer showing the extension of mains and service lines shall be submitted for review and approval as per the Infrastructure Design Criteria Manual or Exception(s) shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application. If a private well is proposed to be utilized, then well data from an existing well or a nearby well shall be submitted to show that a well in this area can provide flows sufficient for development;
11. If fire flows cannot be provided at each individual lot, then upon submittal of a Final Plat application, as an alternative to providing fire flows a Covenant Agreement shall be submitted for recording at the Register of Deed's Office to ensure that residential fire sprinkler protection is designed and installed as per NFPA 13D throughout all new residential structures;
12. Upon submittal of a Final Plat application, a Covenant Agreement securing ownership and maintenance of a shared well shall be submitted for review and approval if the property is to be served by a shared well. In addition, the plat document shall be revised to secure utility easements as needed;
13. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
14. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
15. Prior to submittal of a Final Plat application, the note on the plat document shall be revised to read: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install an on-site wastewater treatment system for each lot. Prior to installation of such system, plans prepared by a qualified person shall be submitted and approved as required by the City of Rapid City or Pennington County, whomever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whomever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations";
16. Upon submittal of a Final Plat application, written documentation shall be submitted from the Hawthorne Ditch Company indicating concurrence with the proposed plat;
17. Prior to submittal of a Final Plat application, a copy of approved Wastewater Operating Permits from Pennington County shall be submitted for review and approval for the two existing on-site wastewater systems;
18. Prior to submittal of a Final Plat application, the plat title shall be revised to include Lot 11E. In addition, the formerly section shall be revised to read Lot 11, less the East 165.9 feet of the South 334.43 feet of Lot 11, all of Carlin Subdivision;
19. Prior to submittal of a Final Plat application, the existing excessive debris and vehicles located on the property in violation of Pennington County Ordinance 106 shall be addressed and written documentation from Pennington County shall be submitted indicating that the issue has been resolved;
20. 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; and,
21. Prior to the City's acceptance of the public improvements, a warranty surety shall be

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submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to create five residential lots. The lots will range in size from 1.0 acres to 4.05 acres and will be known as Lots 11A through 11E of Carlin Subdivision.

The property is located outside of the City limits but within the City's three mile platting jurisdiction. In particular, the property is located north of the intersection of Carlin Street and Crane Drive on the east side of Carlin Street. Currently, there are two residences with accessory structures located on the property.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the installation of public improvements. Approval of a Preliminary Subdivision Plan by the City Council is required before an applicant can proceed with Development Engineering Plans and a Final Plat application for all or part of the area within the Preliminary Subdivision Plan application.

STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Zoning: The property is currently zoned Suburban Residential District by Pennington County. The proposed lots meet the minimum lot size requirements for a residential lot in the Suburban Residential District with on-site water and wastewater systems.

Currently, there are numerous vehicles and debris located on the property. The Pennington County Planning Department has indicated that this is in violation of Pennington County Ordinance 106. Prior to submittal of a Final Plat application, the existing violation must be addressed and written documentation from Pennington County must be submitted indicating that the issue has been resolved.

Site Plan: The applicant has submitted a site plan showing existing structures on proposed Lots 11A and 11E. In addition, the applicant has indicated that the property is currently served by a shared well and individual septic tanks and drainfields. The site plan does not identify the structures or show the location of the on-site utilities. As such, upon submittal of a Development Engineering Plan application, a complete site plan must be submitted for review and approval identifying the structures located on the property to ensure compliance with the Pennington County Zoning Ordinance. In addition, the site plan must include the location of all wells, water service lines, on-site wastewater treatment systems and drainfields to ensure that setback requirements and utility easements are being provided as needed. Prior to approval of the Development Engineering Plan application, any land use issues must be resolved with Pennington County.

Carlin Street: Carlin Street is located along the west lot line of the property and is classified as a collector street on the City's Major Street Plan. Pursuant to the Infrastructure Design Criteria Manual, a collector street must be located within a minimum 68 foot wide right-of-

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way and constructed with a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains. Currently, Carlin Street is located within a 66 foot wide right-of-way and constructed with a 22 foot wide graveled surface with ditches for drainage. As such, upon submittal of a Development Engineering Plan application, construction plans for Carlin Drive must be submitted for review and approval as identified with one additional foot of right-of-way or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Collector Street: The City's Major Street Plan identifies a future collector street located along the north lot line of the property. Pursuant to the Infrastructure Design Criteria Manual, a collector street must be located within a minimum 68 foot wide right-of-way and constructed with a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains. Upon submittal of a Development Engineering Plan application, the plat document must be revised to show the dedication of the south half of the right-of-way, 34 feet, and constructed as identified or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

There are two existing structures located approximately 36 and 38 feet, respectively, from the north lot line. Dedicating the 34 foot wide right-of-way for the collector street will result in the structures being located within the minimum 25 foot wide setback required between a structure and a street right-of-way. As such, if the Exception to waive the requirement to dedicate the right-of-way is not obtained, a Variance from the Pennington County Zoning Board of Adjustment must be obtained to reduce the setback as identified prior to submittal of a Final Plat application. In addition, a copy of the approved Variance must be submitted with the Final Plat application.

Drainage: Upon submittal of a Development Engineering Plan application, a drainage plan must be submitted for review and approval if subdivision improvements are required. The drainage plan must address storm water quantity control and storm water quality treatment, in conformance with the Infrastructure Design Criteria Manual and Rapid City Municipal Code. The drainage plan must also address how drainage from the proposed development will be mitigated as to not impact the Hawthorne Ditch. In addition, the plat document must be revised to provide drainage easements as necessary.

Irrigation Ditch: The Hawthorne Ditch currently runs through the southern portion of the property within a 40 foot wide easement. Since drainage from the proposed development may have a negative impact on the Ditch, written documentation must be submitted from the Hawthorne Ditch Company indicating concurrence with the proposed plat.

Utilities: The applicant has indicated that a shared well currently serves the two residences with individual on-site wastewater systems. The property is located within the Rapid Valley Sanitary District service area. However, there are not any public sewer mains within the area and the closest public water main is located 3,000 feet away at the Longview Road and Springfield Road intersection. The property is also located within the City's Urban Systems boundary. The City of Rapid City service area starts at the north property line. As such, the City needs to provide gravity sewer to the north of this property and Carlin Drive may be the

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appropriate alignment the sewer could be constructed along based on topography. As such, a City sewer main should be provided in Carlin Drive or an alternative alignment for the City gravity main should be identified. Upon submittal of a Development Engineering Plan application, water and sewer plans prepared by a Registered Professional Engineer showing the extension of mains and service lines must be submitted for review and approval as per the Infrastructure Design Criteria Manual or an Exception must be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) must be submitted with the Development Engineering Plan application. If a private well is proposed to be utilized, then well data from an existing well or a nearby well shall be submitted to show that a well in this area can provide flows sufficient for development. Upon submittal of a Final Plat application, documentation must be submitted for review and approval demonstrating that all existing on-site wastewater treatment systems are permitted through the Pennington County. In addition, upon submittal of a Final Plat application, a Covenant Agreement securing ownership and maintenance of a shared well must be submitted for review and approval if the property is to be served by a shared well. In addition, the plat document must be revised to secure utility easements as needed.

The applicant should be aware that if fire flows cannot be provided at each individual lot, then upon submittal of a Final Plat application, as an alternative to providing fire flows a Covenant Agreement must be submitted for recording at the Register of Deed's Office to ensure that residential fire sprinkler protection is designed and installed as per NFPA 13D throughout all new residential structures.

Stormwater Management Plan: The City Council has adopted a Stormwater Quality Manual and an Infrastructure Design Criteria Manual which provide criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure Design Criteria 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.

Development Agreement: Section 1.16.1 of the Infrastructure Development Criteria Manual states that a Development Agreement may be required for construction approval. A Development Agreement is a tool which will provide the City and the developer with an instrument to document the financial and procedural requirements for the development of public improvements. Staff recommends that prior to submittal of a Final Plat application or prior to commencing construction, whichever occurs first, a Development Agreement be entered into with the City for all public improvements if applicable.

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.

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Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.