

STAFF REPORT

March 27, 2003

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**No. 02PL126 - Layout Plat**

**ITEM 28**

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GENERAL INFORMATION:

PETITIONER	Renner & Sperlich for Dean Kelly
REQUEST	<b>No. 02PL126 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	A portion of Lot 6 of Miracle Pines Subdivision located in the NW1/4 Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots B thru E of Lot 6 of Miracle Pines Subdivision located in the NW1/4 Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.149 acres
LOCATION	3960 Corral Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Residential Development
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District w/Planned Residential Development
PUBLIC UTILITIES	City Water
DATE OF APPLICATION	12/12/2002
REPORT BY	Tom Kurtenbach

RECOMMENDATION: **Staff recommends that the Layout Plat be denied without prejudice.**

GENERAL COMMENTS: **Staff's original recommendation to the Planning Commission on January 9, 2003 was that the Layout Plat be denied based on storm water drainage, wastewater disposal and access issues at the subject property. At that time, the applicant's agent requested that the Layout Plat be continued to allow the applicant time to submit additional information.** The applicant and property owner met with Staff on January 15, 2003 to discuss development options for the subject property, and how the most significant staff concerns could be addressed. Following the meeting, the applicant requested that the Layout Plat be continued to the February 20, 2003 Planning Commission meeting to allow the applicant and owner additional time to discuss the

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development options. As of **March 17, 2003**, the applicant has not submitted additional information for Staff review.

The applicant is proposing to split a 3.4 acre parcel into four lots. The property is located north of Corral Drive approximately half way between Carriage Hills Drive and Park Drive. A single family residence is located on proposed Lot B, and a shed is located on proposed Lot C. The lot is semi-wooded with the neighboring properties being heavily wooded. Currently, City water is located in the Corral Drive right-of-way; however, sanitary sewer service is located approximately 800 feet east of the property along Corral Drive.

In August 2001, a Layout Plat application to split this same parcel into two lots was submitted. Preliminary and Final Plat applications have not been submitted. The Layout Plat was approved with the following stipulations in September, 2001:

1. Prior to Preliminary Plat approval by the Planning Commission, topographic information and a drainage plan shall be submitted for review and approval;
2. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide documentation regarding the suitability of the proposed lots for on-site waste water facilities. A site plan shall be provided identifying the location of all wells on the property and within one hundred fifty feet of the property and the location of the proposed on-site waste water facilities. Two locations for on-site waste water facilities shall be identified on the eastern lot and the existing on-site waste water facility and one additional location shall be identified for the western lot;
3. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide plans for the connection to City water service for both lots;
4. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall identify the locations of the access points for both lots for review and approval. A non-access easement shall be identified for the frontage of Corral Drive except for the approved approach locations;
5. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide a wildland hazard mitigation plan for review and approval;
6. Prior to Final Plat approval by the City Council, the applicant shall dedicate an additional seventeen feet of right-of-way for Corral Drive,
7. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide complete engineering plans for sidewalks, curb, gutter, and sanitary sewer for Corral Drive or enter into an agreement for a future assessment project;
8. Prior to Final Plat approval by the City Council, the subdivision improvement estimate form shall be submitted for review and approval and the subdivision inspection fees shall be paid; and,
9. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

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

Drainage - The applicant's proposal will quadruple the density of development. Currently, no storm water facilities or easements exist to protect properties to the north and east of this

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site from additional run off. As a result, there are serious concerns that sufficient drainage facilities do not exist down stream to handle the additional storm water run off from the proposed development. Staff recommends that the applicant submit for review and approval additional information demonstrating that adequate storm water drainage facilities can be constructed on the site without negatively impacting the downstream land owners.

Sewer and Water Services - The Subdivision Regulations require a connection to City sanitary sewer if the nearest main line is located within five hundred feet of the proposed subdivision. According to City records, the subject property is not located within five hundred feet of sanitary sewer service. Septic tanks would be allowed on an interim basis while dry sewer would be required to be installed.

In August, 1987 a study of septic systems was conducted in several subdivisions in West Rapid City. Findings of the study indicated a septic system failure rate of 25 percent, with drainfield problems accounting for 53 percent of the system failures. Septic tanks would be allowed on an interim basis while dry sewer would be required to be installed.

Additionally, two drainfield locations shall be identified for each proposed lot. A private well is located on the property. The applicant's engineer has indicated that the residence currently located on the property has not connected to the City's water system due to an assessment fee that will be done if the property is connected to the City's system. City service is available in Corral Drive adjacent to the site. Further review of the project as it relates to the water connections is necessary prior to Layout Plat approval. A site plan identifying the location of all well(s) on the property and within one hundred fifty feet of the property, and the locations of the proposed on-site waste water facilities shall be submitted for review.

Access - Currently there are two access points to the subject property from Corral Drive. Ingress and egress using either access point is dangerous due to limited sight triangles caused by the topography and the layout of Corral Drive in the area of the subject property. Even if the proposed private access easement would be the sole access point to all four proposed lots, Staff believes the increased ingress/egress associated with the increased density at this location would make the existing situation more hazardous. On January 15, 2003, the applicant indicated that information shall be submitted to demonstrate that safe ingress/egress can be provided and that the sight triangle distances can be met.

Fire Protection - The subject property is considered a moderate/high wild fire hazard area by the Rapid City Fire Department. At a minimum, construction of a water line, fire hydrant, and turn-around meeting Uniform Fire Code requirements would be necessary at the north end of the proposed private access easement. Street signs identifying addresses of each proposed lot to be approved by the Fire Department would also be necessary.

**Due to the lack of storm drainage facilities in the area, the lack of central sewer service, the hazardous access to the property and the fire protection concerns for this area, Staff recommends that this item be denied without prejudice.**