

STAFF REPORT  
November 4, 2004

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**No. 04PL135 - Layout Plat**

**ITEM 23**

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GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Paul Reinke
REQUEST	<b>No. 04PL135 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	Unplatted balance of the N1/2NE1/4 less Right-of-way, unplatted balance of the SE1/4NE1/4, SW1/4NE1/4 less the south 23 feet of the east 240 feet of the west 593 feet the of SW1/4NE1/4, less Copper Oaks, and Tract A less the east 350 feet of the north 900 feet of the Busted Five Development all located in Section 7, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 18 thru 20 of Copper Oaks No. 2, Lots 11 thru 13 Block 2, Lots 8 thru 12 of Block 3, Lots 1 thru 5 of Block 4, Lots 1 thru 8 of Block 5 and Lot A of Copper Oaks No. 3 Subdivision located in the NE1/4, Section 7, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 acres
LOCATION	Along Wild Turkey Way and Quartz Canyon Lane
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Highway Service District / General Agriculture District
East:	Low Density Residential District / General Agriculture District
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Community water/individual private on-site wastewater
DATE OF APPLICATION	09/21/2004
REVIEWED BY	Vicki Fisher / Curt Huus

RECOMMENDATION:

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

- 1. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;**
- 2. Upon submittal of a Preliminary Plat application, a drainage plan shall be**

- submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary;
3. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;
  4. 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;
  5. 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. In addition, the water plans shall show the existing water system layout, including location and size of mains, reservoir capacity, overflow elevations, well location and capacity. The water plans shall also address high and low water pressure looping. In addition, the applicant shall submit documentation that the existing community water district concurs with the proposed expansion of use;
  6. Upon submittal of the Preliminary Plat application, a pavement design with supporting geotechnical information shall be submitted for review and approval;
  7. Upon submittal of the Preliminary Plat application, road construction plans for Peregrine Point Place shall be submitted for review and approval. In particular, Peregrine Point Place shall be 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;
  8. Upon submittal of the Preliminary Plat application, road construction plans for Wilderness Canyon Road and Quartz Canyon Lane shall be submitted for review and approval. In particular, Wilderness Canyon Road and Quartz Canyon Lane shall be constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit and sewer or a Variance to the Subdivision Regulations shall be obtained;
  9. Upon submittal of the Preliminary Plat application, road construction plans for Wild Turkey Way, the two un-named cul-de-sacs and the north-south street located adjacent to proposed Lots 1, 7 and 8 of Block 5 shall be submitted for review and approval. In particular, the road construction plans shall show the streets constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the cul-de-sac bulbs at the end of the two un-named cul-de-sac streets and Wild Turkey Way shall be located in a minimum 110 foot wide diameter right-of-way with a minimum 90 foot wide diameter paved surface or a Variance to the Subdivision Regulations shall be obtained;
  10. Upon submittal of a Preliminary Plat application, road construction plans for the emergency road shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision

- Regulations shall be obtained;
11. Upon submittal of a Preliminary Plat, road construction plans for the section line highways located along the east lot line shall be submitted for review and approval. In particular, the road construction plans shall show the section line highway 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 or the section line highways shall be vacated. The adjacent property owner(s) shall sign the petition(s) to vacate the section line highways or a Variance to the Subdivision Regulations shall be obtained to allow platting half a right-of-way;
  12. A Special Exception to the Street Design Criteria Manual to allow a 7,800 foot and a 7,000 foot long cul-de-sac, respectively, with no intermediate turnarounds in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet shall be granted with the stipulation that a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented;
  13. Upon submittal of the Preliminary Plat application, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained;
  14. Upon submittal of a Final Plat application, a road maintenance agreement shall be submitted for review and approval as required by City Ordinance;
  15. Upon submittal of a Final Plat application, a reserve area shall be shown or a note shall be placed on the plat 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;
  16. Upon submittal of the Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  17. Prior to submittal of a Final Plat, the applicant shall submit street names for the two un-named cul-de-sacs and the emergency road to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street name. The plat document shall also be revised to show the labeling of "Quartz Canyon Lane" and "Red Fox Court"; and,
  18. 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.

GENERAL COMMENTS:

(Staff Report update as of October 26, 2004. All revised and/or added text is shown in bold print.) This item was continued at the October 21, 2004 Planning Commission meeting to allow staff to meet with the applicant and his consultant on the subject property to inspect an emergency ingress/egress road. The applicant has submitted a Layout Plat to subdivide the subject property into 24 residential lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and to improve pavement along two un-named cul-de-sacs, a section line highway, Quartz Canyon Lane, Quartz Canyon Place, Wild Turkey Way and Wilderness Canyon Road as they abut the subject

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property. (See companion item #04SV053.)

The proposed lots are located in the Copper Oaks Subdivision; however, the lots are not completely contiguous to each other. In particular, eight of the lots are located along an un-named cul-de-sac extending south from Quartz Canyon Road. Three additional lots are located along the north side of Quartz Canyon Road. Eight lots are located along previously platted right-of-way known as Wild Turkey Way which, to date, has not been constructed. In addition, five additional lots are located on a second un-named cul-de-sac located within a section line highway extending north from Wilderness Canyon Road. Currently, the proposed lots are 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:

Wilderness Canyon Road: Wilderness Canyon Road extends off U.S. Highway 16 to serve the Copper Oaks Subdivision and the Quartz Canyon Subdivision. The Layout Plat identifies that two of the proposed lots abut Wilderness Canyon Road. In addition, Wilderness Canyon Road is classified as a sub-collector street requiring that the street be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Wilderness Canyon Road is located in a 66 foot wide right-of-way and is constructed with a 24 foot wide paved surface and water. Staff is recommending that upon submittal of the Preliminary Plat application, road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Wilderness Canyon Road is an approximate 7,800 foot long cul-de-sac. The Street Design Criteria Manual states that in moderate, high or extreme fire hazard areas, cul-de-sacs shall not exceed 500 feet in length. In addition, intermediate turnarounds must be provided every 600 feet. The Fire Department has indicated that the property is located within a moderate to high fire hazard area. As such, the applicant must obtain a Special Exception to allow a cul-de-sac in excess of 500 feet and to waive the requirement to provide intermediate turnarounds or the street must be redesigned to comply with the Street Design Criteria Manual. **On October 21, 2004, the applicant requested that a Special Exception be granted to allow a cul-de-sac in excess of 500 feet and to waive the requirement to provide intermediate turnarounds. The Fire Department has noted that the rights-of-way are existing platted streets. In addition, the Fire Department has indicated that**

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**existing driveways and street intersections will serve as intermediate turnarounds. As such, staff is recommending that a Special Exception be granted to the Street Design Criteria Manual to allow a 7,800 foot long cul-de-sac with no intermediate turnarounds in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet with the stipulation that a Wild Fire Mitigation Plan be submitted for review and approval and that the plan be implemented.**

Quartz Canyon Lane: Quartz Canyon Lane extends west from Wilderness Canyon Road. The Layout Plat identifies that five of the proposed lots abut Quartz Canyon Lane. In addition, Quartz Canyon Lane is classified as a sub-collector street requiring that the street be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Wilderness Canyon Road is located in a 66 foot wide right-of-way and constructed with a 24 foot wide surface consisting of asphalt millings and water. Staff is recommending that upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Quartz Canyon Lane is an approximate 7,000 foot long cul-de-sac. As previously noted, the Street Design Criteria Manual states that in moderate, high or extreme fire hazard areas, cul-de-sacs shall not exceed 500 feet in length. In addition, intermediate turnarounds shall be provided every 600 feet. The Fire Department has indicated that the property is located within a moderate to high fire hazard area. As such, the applicant must obtain a Special Exception to allow a cul-de-sac in excess of 500 feet and to waive the requirement to provide intermediate turnarounds or the street must be redesigned to comply with the Street Design Criteria Manual. **As previously indicated, on October 21, 2004, the applicant requested that a Special Exception to allow a cul-de-sac in excess of 500 feet and to waive the requirement to provide intermediate turnarounds be granted. The Fire Department has noted that the rights-of-way are existing platted streets. In addition, the Fire Department has indicated that existing driveways and street intersections will serve as intermediate turnarounds. As such, staff is recommending that a Special Exception to the Street Design Criteria Manual to allow a 7,000 foot long cul-de-sac with no intermediate turnarounds in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet be granted with the stipulation that a Wild Fire Mitigation Plan be submitted for review and approval and that the plan be implemented.**

Quartz Canyon Place: Quartz Canyon Place extends south from Quartz Canyon Lane and abuts three of the proposed lots. Quartz Canyon Place is classified as a lane place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water, sewer and pavement. Currently, Quartz Canyon Place is located in a 33 foot wide right-of-way. In addition, the northern 350 feet of Quartz Canyon Place has been constructed with an approximate 18 foot wide graveled surface and water. The southern 270 feet of Quartz Canyon Place has not been constructed. However, it appears that access to existing lots along the southern portion of Quartz Canyon Place is currently located on a portion of the adjacent proposed lots. As such, the existing access road must be identified on the Preliminary Plat and construction plans submitted showing the road as a lane place street or the road must be relocated within the Quartz Canyon Place right-of-way. Staff is

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recommending that upon submittal of a Preliminary Plat, construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Un-named Cul-de-sac: An un-named cul-de-sac extends east from Quartz Canyon Place and serves as access to eight of the proposed lots. The un-named cul-de-sac is classified as a lane place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water, sewer and pavement. In addition, the cul-de-sac bulb must be located in a minimum 110 foot wide diameter right-of-way with a minimum 90 foot wide diameter paved surface. The Layout Plat identifies the proposed dedication of a 66 foot wide right-of-way for the street and a 100 foot diameter right-of-way for the cul-de-sac bulb. Staff is recommending that upon submittal of a Preliminary Plat, construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Wild Turkey Way: Wild Turkey Way extends east from Wilderness Canyon Road and serves as access to eight of the proposed lots. Wild Turkey Way, a cul-de-sac street, is classified as a lane place street requiring that the road be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water, sewer and pavement. In addition, the cul-de-sac bulb must be located in a minimum 110 foot wide diameter right-of-way with a minimum 90 foot wide diameter paved surface. A previously dedicated 66 foot wide right-of-way exists for Wild Turkey Way but, to date, the road has not been constructed. Staff is recommending that upon submittal of a Preliminary Plat, construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: A section line highway is located along the east lot line of the subject property. The Layout Plat identifies a cul-de-sac street to be constructed in the west half of the section line highway to serve as access to five proposed lots. The east half of the section line highway is located on an adjacent property under different ownership from the subject property. The Subdivision Regulations states that "...where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half shall be platted. No new half-streets shall be permitted". As such, the adjacent property owner must participate in the platting of the east half of the section line right-of-way or a Variance to the Subdivision Regulations must be obtained to allow platting half a right-of-way. The applicant also has the option of vacating the section line highway. Staff is recommending that the plat document be revised to dedicate the additional right-of-way and that the section line issues be addressed as identified.

In addition, the un-named cul-de-sac is classified as a lane place street requiring that the street be constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water, sewer and pavement. The cul-de-sac bulb must be located in a minimum 110 foot wide diameter right-of-way with a minimum 90 foot wide diameter paved surface. Staff is recommending that upon submittal of a Preliminary Plat, construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

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On August 7, 2003, the Planning Commission approved a SDCL 11-6-19 Review to allow for the construction of a street to serve as a driveway within this section line highway. The Layout Plat identifies that the proposed cul-de-sac street will be located approximately 50 feet west of the existing driveway. The Street Design Criteria Manual requires a minimum separation of 50 feet between a lane place street and a driveway. However, staff is recommending that the applicant coordinate with the adjacent property owner to provide access to the adjacent property via the proposed cul-de-sac street and eliminate the existing driveway within the section line highway.

Geotechnical Report: A geotechnical report including pavement design must be submitted for review and approval. Staff is recommending that upon submittal of a Preliminary Plat, a geotechnical report be submitted for review and approval as identified.

Road Maintenance Agreement: The Pennington County Highway Department staff has indicated that a road maintenance agreement for the proposed streets must be submitted for review and approval. Staff is recommending that upon Final Plat application, a road maintenance agreement be submitted for review and approval as required by City Ordinance.

Street Names: The Emergency Services Communication Center has indicated that the plat document must be revised to show the labeling of "Quartz Canyon Lane" and "Red Fox Court". In addition, street names for the two un-named cul-de-sacs must be submitted for review and approval. As such, staff is recommending that prior to submittal of a Final Plat application, the applicant must submit street names to the Emergency Services Communication Center for review and approval. In addition, the plat document must be revised to show the approved street name, "Quartz Canyon Lane" and "Red Fox Court".

Sewer: 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 shall be obtained. If individual 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. In particular, the information must include percolation test data and location as well as soil profile data and locations. In addition, data must be submitted identifying the depth to ground water. A note must also be placed on the plat indicating that at the time a Building Permit is applied for, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by City Ordinance.

Water: 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 shall be obtained. If on-site well(s) and/or a community water source are used, data to confirm that the well(s) have sufficient flows and water quality must be submitted for review and approval. In addition, the water plans must show the existing water system layout, including location and size of mains, reservoir capacity, overflow elevations, well location and capacity. The water plans must also address high and low water pressure looping. In addition, the applicant must submit documentation that the existing community

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water district concurs with the proposed expansion of use. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by City Ordinance.

Drainage: As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval. The drainage plan must identify that any discharge meets pre-development flow rates or on-site detention must be provided. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. The plat document must be revised to provide drainage easements as needed. Staff is recommending that upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, be submitted for review and approval and the plat document be revised to provide drainage easements as needed.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s) or a Variance to the Subdivision Regulations must be obtained waiving the requirement to install a central water system. In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access. Staff is recommending that construction plans be submitted for review and approval as identified upon Preliminary Plat submittal.

The Fire Department staff has also indicated that the property is located in a moderate to 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. In addition, the Wild Fire Mitigation Plan must be implemented.

Special Exception: 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". Currently, Wilderness Canyon Road serves as exclusive access to 154 residential lots. Platting the subject property as proposed will result in Wilderness Canyon Road serving as exclusive access to 178 residential lots. As such, the applicant has requested a Special Exception to allow 178 lots with one point of access.

The intent of the amendment to the Street Design Criteria Manual limiting the number of residences with one point of access is to insure safe ingress and egress into these development(s) during times of an emergency. In particular, the Fire Department has indicated that during times of a fire and/or any other catastrophe such as a flood, one point of access to more than forty dwelling units is not adequate to handle emergency vehicle traffic and residential traffic. The Fire Department has also indicated that even though a Wild Fire Hazard Mitigation Plan has been implemented in parts of Copper Oaks there still remains areas within a moderate to high wild fire hazard area. As such, staff is recommending that the Special Exception to allow 178 dwelling units with one point of access be denied. In addition, staff is recommending that the Layout Plat be denied without prejudice. Once a second access street is provided to the development, a subsequent Layout Plat may be submitted for review and approval. **At the October 21, 2004 Planning**



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Commission meeting the applicant indicated that an access easement exits through an adjacent property to serve as an emergency access road for the residential development. On October 25, 2004 staff met with the applicant and his consultant on the site and inspected the emergency access road. Currently, the road is an approximate 10 foot wide dirt road. Staff is recommending that upon submittal of a Preliminary Plat, construction plans for the access road be submitted for review and approval. In particular, the emergency access road must be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. Upon construction of the emergency access road, the Special Exception is no longer needed as two streets will then serve as access to the residential development.

Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.