

STAFF REPORT
May 24, 2007

No. 06PL169 Preliminary Plat

ITEM 38

GENERAL INFORMATION:

PETITIONER	Boschee Engineering for Dr. Don Oliver
REQUEST	No. 06PL169 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	NE1/4 SE1/4, Section 7, T1S, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 38.75 acres
LOCATION	Northwest of the intersection of Wilderness Canyon Road and 47th Avenue West
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Highway Services District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	Highway Services District (Pennington County)
PUBLIC UTILITIES	Private water and on-site wastewater
DATE OF APPLICATION	10/13/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Preliminary Plat be **approved with the following stipulations:**

- 1. Prior to Preliminary Plat approval by the City Council, road construction plans for Wilderness Canyon Road shall be submitted for review and approval. In particular, the plans shall show Wilderness Canyon Road constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
- 2. Prior to Preliminary Plat approval by the City Council, road construction plans for the access easement shall be submitted for review and approval. In particular, the plans shall show the access easement 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 shall be obtained;**
- 3. Prior to Preliminary Plat approval by the City Council, sight distance data along Wilderness Canyon Trail shall be submitted for review and approval. In addition, the plat document shall be revised to relocate the access easement if needed;**
- 4. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow 156 lots with one point of access in lieu of maximum of 40 dwelling units exclusively accessed from a street or the plat document shall be**

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- revised accordingly;
5. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 6. Prior to submittal of a Final Plat application, the property shall be rezoned to support the proposed lot sizes or a Variance shall be obtained from the Pennington County Board of Adjustment to reduce the minimum 40 acre lot size requirement of the General Agriculture District;
 7. Prior to submittal of a Final Plat application, the plat document shall be revised to show the existing well and the service lines extending from the well located within utility easement(s);
 8. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for maintenance of the community water facility for review and approval;
 9. Upon submittal of a Final Plat application, a note shall be placed on the plat document stating that "a reserve drainfield area shall be identified upon submittal of a building permit" and 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";
 10. 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,
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

(Update, May 14, 2007. All revised and/or added text is shown in bold print.) This item was continued at the May 10, 2007 Planning Commission meeting to allow staff to review water well information and a utility master plan submitted on April 26, 2007.

(Update, April 27, 2007. All revised and/or added text is shown in bold print.) This item was continued at the April 26, 2007 Planning Commission meeting to allow the applicant to submit additional information. On April 26, 2007, the applicant submitted water well information and a utility master plan. Staff is recommending that this item be continued to the May 24, 2007 Planning Commission meeting to allow staff to review the recently submitted information.

(Update, April 14, 2007. All revised and/or added text is shown in bold print.) This item was continued at the April 5, 2007 Planning Commission meeting to allow the applicant to submit additional information. On February 23, 2007, the applicant submitted soil percolation test information and a site plan showing the existing development on proposed Lots 1 and 3 and proposed development on proposed Lot 2. However, to date, a water system analysis including data from an existing well and a utility master plan showing private utilities such as telephone, electric, etc. have not been submitted for review and approval. As such, staff is recommending that this item be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, March 24, 2007. All revised and/or added text is shown in bold print.) This item was continued at the March 22, 2007 Planning Commission meeting to allow the applicant

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to submit additional information. On February 23, 2007, the applicant submitted soil percolation test information and a site plan showing the existing development on proposed Lots 1 and 3 and proposed development on proposed Lot 2. However, to date, a water system analysis including data from an existing well and a utility master plan showing private utilities such as telephone, electric, etc. have not been submitted for review and approval. As such, staff is recommending that this item be continued to the April 26, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, March 10, 2007. All revised and/or added text is shown in bold print.) This item was continued at the March 8, 2007 Planning Commission meeting to allow the applicant to submit additional information. On February 23, 2007, the applicant submitted soil percolation test information and a site plan showing the existing development on proposed Lots 1 and 3 and proposed development on proposed Lot 2. However, to date, a water system analysis (such as data from an existing well), depth to ground water data and a utility master plan showing private utilities such as telephone, electric, etc. have not been submitted for review and approval. As such, staff is recommending that this item be continued to the April 5, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, February 26, 2007. All revised and/or added text is shown in bold print.) This item was continued at the February 22, 2007 Planning Commission meeting to allow the applicant to submit additional information. On February 23, 2007, the applicant submitted soil percolation test information and a site plan showing the existing development on proposed Lots 1 and 3 and proposed development on proposed Lot 2. However, to date, a water system analysis (such as data from an existing well), depth to ground water data and a utility master plan showing private utilities such as telephone, electric, etc. have not been submitted for review and approval. As such, staff is recommending that this item be continued to the March 22, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, February 9, 2007. All revised and/or added text is shown in bold print.) This item was continued at the February 8, 2007 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the March 8, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, January 26, 2007. All revised and/or added text is shown in bold print.) This item was continued at the January 25, 2007 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the February 22, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, December 12, 2006. All revised and/or added text is shown in bold print.) This item was continued at the December 7, 2006 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted

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for review and approval. As such, staff is recommending that this item be continued to the January 25, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, November 25, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 22, 2006 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the January 4, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

(Update, November 10, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 9, 2006 Planning Commission meeting at the applicant's request in order to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the December 7, 2006 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

The applicant has submitted a Preliminary Plat to subdivide the subject property into three 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 additional pavement along Wilderness Canyon Road and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along an access easement. The applicant has also submitted an Exception to the Street Design Criteria Manual to allow 156 dwelling units with one point of access in lieu of 40 dwelling units. (See companion item #06SV066.)

On June 19, 2006, the City Council approved a Layout Plat to subdivide the subject property into two lots. In addition, the City Council approved an Exception to the Street Design Criteria Manual to allow 155 dwelling units with one point of access in lieu of 40 dwelling units. (See companion item #06PL046.)

STAFF REVIEW:

During the review of the Preliminary Plat and the Variance to the Subdivision Regulations applications, staff has noted that additional information must be submitted to adequately review the requests. In particular, staff noted that a site plan showing the location of the existing residence(s), well(s), septic tanks and drainfields, shed(s), etc. must be submitted for review and approval. In addition, a water system analysis prepared by a Registered Professional Engineer and 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. Staff also noted that a utility master plan showing private and public utilities must be submitted for review and approval.

As noted above, the applicant has submitted percolation test data, water well information and a utility master plan. Staff has subsequently reviewed the Preliminary Plat application and has noted the following considerations:

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Wilderness Canyon Road: Wilderness Canyon Road is located along the east lot line of the subject property and 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 prior to Preliminary Plat approval by the City Council, road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Access Easement: The plat document identifies an access easement extending across Lot 3 to serve Lot 1. The access easement is classified as a lane place street requiring that the street be located in a minimum 45 foot wide easement and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The Preliminary Plat identifies the street located in a 49 foot wide easement and is currently constructed with an approximate ten foot wide dirt road. Staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Water: The applicant has submitted water well data from existing wells within the area demonstrating that a water source is available to serve the proposed development. The Preliminary Plat identifies the location of the existing well located on proposed Lot 3 that serves the existing residences located on Lot 1 and Lot 3, respectively. The Preliminary Plat also identifies the location of a proposed well on Lot 2 to serve the future residence to be constructed on Lot 2. Staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to show the existing well located within a utility easement. In addition, the plat document must be revised to show the service lines extending from the well within utility easement(s).

Wastewater: The applicant has submitted a site plan showing the location of the existing drainfields on proposed Lots 1 and 3 that serve the existing residences located on each lot. In addition, the applicant has submitted percolation test data and soil profile data for the proposed drainfield to be located on proposed Lot 2. The data supports the utilization of on-site wastewater systems. Staff is recommending that upon submittal of a Final Plat application, a note shall be placed on the plat document stating that "a reserve drainfield area shall be identified upon submittal of a building permit" and 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".

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

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Canyon Road serving as exclusive access to 156 residential lots. On October 24, 2006, staff denied an Exception request to allow 156 dwelling units with one point of access. To date, the applicant has not appealed the Exception denial to City Council.

As previously indicated, on June 19, 2006 the City Council granted an Exception to allow 155 dwelling units with one point of access as a part of a Layout Plat to subdivide the subject property into two lots. This Preliminary Plat identifies subdividing the subject property into three lots requiring that an Exception be obtained to allow 156 dwelling units with one point of access. Staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception be obtained to allow 156 lots with one point of access in lieu of 40 or the plat document must be revised accordingly.

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. As such, staff is recommending that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

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