

STAFF REPORT
July 5, 2007

No. 07PL072 - Layout Plat

ITEM 13

GENERAL INFORMATION:

PETITIONER	Kevin Kuehn
REQUEST	No. 07PL072 - Layout Plat
EXISTING LEGAL DESCRIPTION	The SE1/4 NE1/4 and the E1/2 SE1/4 of Section 33, T1N, R8E; and, Lot 2 of the SW1/4 NW1/4 and Lot 2 of the W1/2 SW1/4, Section 34, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 56 of Block 1 of Dry Creek No. 2 Subdivision, located in Sections 33 and 34, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 174.56 acres
LOCATION	Old Folsom Road
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District - Limited Agriculture District
East:	Limited Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	Community well and private septic systems
DATE OF APPLICATION	5/25/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, shall be submitted for review and approval and the plat document be revised to provide drainage easements as identified;
2. Upon submittal of a Preliminary Plat application, road construction plans for Old Folsom Road shall be submitted for review and approval. The street shall be located in a minimum 100 foot right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. The plat document shall be revised to show the dedication of 17 additional feet of right-of-

STAFF REPORT
July 5, 2007

No. 07PL072 - Layout Plat

ITEM 13

- way;
3. Upon submittal of a Preliminary Plat application, road construction plans for Road "B" shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot right-of-way and 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;
 4. Upon submittal of a Preliminary Plat application, road construction plans for Road "C" shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot right-of-way and 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;
 5. Upon submittal of a Preliminary Plat, road construction plans for the Section Line Highway shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface with parking on one side of the street, curb, gutter, sidewalk, street light conduit and water;
 6. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design and soils resistivity tests shall be submitted for review and approval;
 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 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 must be submitted for review and approval;
 8. 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. If a shared well and/or a community water facility is proposed then it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In particular, the water system shall be constructed and designed to provide adequate fire and domestic flows. In addition, the plat document shall be revised to show utility easement(s) as needed;
 9. Upon submittal of a Preliminary Plat application, a master plan for the area shall be submitted for review and approval showing all utilities, streets, and future street connections;
 10. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 11. Prior to submittal of a Preliminary Plat application, the property shall be rezoned by Pennington County to a zoning district that allows the proposed lot sizes or a lot size variance shall be obtained or the plat document shall be revised accordingly;
 12. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for street maintenance and snow removal. In particular, an agreement with Pennington County shall be submitted for review and approval indicating that the proposed street shall be accepted by

STAFF REPORT
July 5, 2007

No. 07PL072 - Layout Plat

ITEM 13

- Pennington County for road maintenance and snow removal; or evidence shall be submitted for review and approval that a road district has been established in accordance with SDCL 31-12A-1; or a legally binding agreement shall be submitted for review and approval by the City Council which guarantees sufficient financial commitment to provide these services;
13. Upon submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Old Folsom Road or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s);
 14. 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";
 15. 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,
 16. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval.

GENERAL COMMENTS: This staff report has been revised as of June 26, 2007. All revised and/or added text is shown in bold print. This item was continued at the June 21, 2007 Planning Commission at the applicant's request. The applicant has submitted a Layout Plat to create 56 lots approximately three acres in size. The property is located south of Lamb Street and west of Old Folsom Road. The subject property is currently void of structural development.

On June 25, 2007 the applicant submitted a revised layout plat document to create 44 lots approximately three acres in size from four existing parcels of land. The revised plat is located outside of the Basin Electric Intertie Study Area.

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 noted that the subject property of the proposed Layout Plat is located in the Basin Electric Intertie Study Area. The Basin Electric Intertie Study Area has been extended to June 27, 2007 and the contract is proposed to be extended to December 31, 2007. As such, staff would recommend that the Layout Plat be denied without prejudice and that the applicant reapply after the study had been completed.

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

STAFF REPORT
July 5, 2007

No. 07PL072 - Layout Plat

ITEM 13

Study Area: On June 18, 2007 City Council extended the Basin Electric Intertie Study Area consulting contract to December 31, 2007. The applicant has removed the portion of the property that is located within the Basin Electric Intertie Study Area.

Zoning: The Pennington County Planning Department staff has indicated that the property is currently zoned General Agriculture District. The General Agriculture District requires a minimum lot size of 40 acres. As previously indicated, the Layout Plat identifies the development of 44 lots approximately three acres in size each. The Pennington County Planning Department has indicated that property must either be rezoned to Low Density Residential District or a Planned Unit Development to allow the proposed lot sizes. As such, staff is recommending that prior to submittal of a Preliminary Plat application, the property shall be rezoned by Pennington County to a zoning district that allows the proposed lot sizes or lot size variance shall be obtained or the plat document must be revised accordingly.

Drainage: As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval. In particular, the drainage plan must provide controls to maintain run-off to pre-developed flows. The grading plan and an erosion and sediment control plan for all improved areas must also 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 identified.

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.

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 proposed, 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. 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) are used, data to confirm that the well(s) have sufficient flows and water quality must be submitted for

STAFF REPORT
July 5, 2007

No. 07PL072 - Layout Plat

ITEM 13

review and approval. 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.

Old Folsom Road: Old Folsom Road is classified as a principal arterial street on the City's Major Street Plan requiring that the street be constructed with a minimum 100 foot wide right-of-way and a 40 foot wide paved surface with curb, gutter, street light conduit, water and sewer. Currently, Old Folsom Road, as it abuts the property, is located in a 66 foot wide right-of-way with an approximate 24 foot wide chip sealed surface. To date, curb, gutter, street light conduit, water and sewer have not been constructed along Old Folsom Road. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans showing Old Folsom Road located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, street light conduit, water and sewer improvements must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to show the dedication of 17 additional feet of right-of-way.

Road "B": Road "B" is identified as a sub-collector street on the Layout Plat. A sub-collector street must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, the street must be extended to the west end of the property to serve the adjacent property. Staff is recommending that upon submittal of a Preliminary Plat application, construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Road "C": Road "C" is identified as a sub-collector street on the Layout Plat. A sub-collector street must be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, the street must be extended to the west end of the property to serve the adjacent property. Staff is recommending that upon submittal of a Preliminary Plat application, construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: Staff noted that a Section Line Highway is located along the south side of the property. The Section Line Highway is identified on the City's Major Street Plan as a collector street requiring that it be located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface with parking on one side of the street, curb, gutter, sidewalk, street light conduit and water. Staff is recommending that upon submittal of a Preliminary Plat application, construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Master Plan: Staff is recommending that upon submittal of a Preliminary Plat application, a master plan for the area shall be submitted for review and approval showing all utilities, streets, and future street connections.

STAFF REPORT
July 5, 2007

No. 07PL072 - Layout Plat

ITEM 13

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