

STAFF REPORT
September 20, 2007

No. 07PL115 - Layout Plat

ITEM 6

GENERAL INFORMATION:

APPLICANT/ AGENT	Powderhorn LLC
PROPERTY OWNER	Jerry L. Dale for Powderhorn, LLC
REQUEST	No. 07PL115 - Layout Plat
EXISTING LEGAL DESCRIPTION	The unplatted portion of the SE1/4 NE1/4 north of Highway 44 and less Highway Lots, located in the SE1/4 NE1/4, Section 24, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Powderhorn Subdivision, located in the SE1/4 NE1/4, Section 24, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 23.2 acres
LOCATION	At the northwest corner of the intersection of South Dakota E. Highway 44 and Radar Hill Road
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Low Density Residential District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	None
DATE OF APPLICATION	8/22/2007
REVIEWED BY	Jonathan Smith / Todd Peckosh

RECOMMENDATION:

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

1. Prior to submittal of a Preliminary Plat the plat document shall be revised to identify a non-access easement along South Dakota Highway 44.
2. Upon submittal of a Final 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 treatment systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater treatment systems shall be submitted for review

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- and approval, or a Variance to the Subdivision Regulation shall be obtained.
3. 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, or a Variance to the Subdivision Regulations shall be obtained.
 4. Upon the submittal of a Preliminary Plat application, construction plans prepared by a Registered Professional Engineer for Radar Hill Road where it abuts the property shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 100 foot wide right-of-way with a pavement width of 24 feet and constructed with curb, gutter, street light conduit, or a Variance to the Subdivision Regulations shall be obtained. In addition, a Variance to the Subdivision Regulations shall be obtained to allow platting half of a right-of-way if needed;
 5. Upon the submittal of a Preliminary Plat application, construction plans prepared by a Registered Professional Engineer for South Dakota Highway 44 where it abuts the property shall be submitted for review and approval. In particular, the construction plans shall identify curb, gutter, street light conduit, or a Variance to the Subdivision Regulations shall be obtained.
 6. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 7. Prior to submittal of a Final Plat application the applicant shall obtain a Lot Size Variance from Pennington County for each proposed lot, or shall rezone proposed Lot 1 and Lot 2 to a zoning classification in which the minimum lot size can be met;
 8. 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,
 9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat request to create a 10.28 acre parcel identified as proposed Lot 1, and a 12.94 acre Lot identified as proposed Lot 2 from an existing 22.23 acre lot. The property is located northwest of the intersection of South Dakota Highway 44 and Radar Hill Road. The property is currently void of any structural development and is bisected by an irrigation ditch. The property is not located within the municipal boundaries of the City of Rapid City; however, the property lies within the City of Rapid City Three Mile Platting Jurisdiction. The property is zoned General Agriculture by Pennington County. A Variance to the Subdivision Regulations (#07SV049) to waive the requirement to install water, sewer, curb, gutter, street light conduit, sidewalk, and pavement has been filed in conjunction with this Layout Plat request.

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

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a formal variance request or a special exception whichever is applicable.

STAFF REVIEW:

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

ZONING:

The property is currently zoned General Agriculture by Pennington County, requiring a minimum 40 acre lot size. Prior to submittal of a Final Plat application the applicant is required to either rezone the property to a zoning classification in which the minimum lot size can be met, or obtain a lot size variance for each proposed lot from Pennington County.

PLATTING IMPROVEMENTS:

As part of the platting process the applicant is required to install curb, gutter, sidewalk, street light conduit, water and sewer along the abutting streets. The installation of sidewalks is not required along South Dakota Highway 44 and Radar Hill Road because the lot frontage exceeds 200 feet per Section 16.28.080 of the Rapid City Municipal Code.

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 domestic and fire flows and water quality 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 application as required by City Ordinance.

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 treatment systems are used, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater treatment systems must be submitted for review and approval. The above referenced information must be submitted for review and approval upon submittal of a Preliminary Plat application.

The Major Street Plan identifies Radar Hill Road as a proposed principal arterial street, which requires a minimum right-of-way width of 100 feet and a minimum pavement width of twelve feet per lane as per the Street Design Criteria Manual. Currently Radar Hill road where it abuts the property measures 22 feet in pavement width and does not meet the requirement of twelve feet per lane. In addition the right-of-way width of Radar Hill Road where it abuts the property measures 66 feet in width. The applicant is required to provide an additional two feet of pavement and dedicate an additional 34 feet of right-of-way, or obtain a Variance to the Subdivision Regulations to waive the requirement to install pavement, and/ or obtain a Variance to the Subdivision Regulations to waive the requirement that no new half-streets shall be permitted. The applicant would be required to dedicate 17 feet of additional right-of-way along Radar Hill Road if granted such variance.

Upon submittal of a Preliminary Plat the applicant is required to submit for review and approval construction plans identifying curb, gutter, street light conduit, water and sewer along Radar Hill Road, or obtain a Variance to the Subdivision Regulations.

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South Dakota Highway 44 is classified as a principal arterial street. The Street Design Criteria Manual requires a minimum right-of-way width of 100 feet, and a minimum pavement width of twelve feet per lane. Staff has noted that currently South Dakota Highway 44 meets the minimum requirement for right-of-way width and pavement. Upon submittal of a Preliminary Plat the applicant is required to submit construction plans for review and approval identifying curb, gutter, street light conduit, water and sewer along South Dakota Highway 44, or obtain a Variance to the Subdivision Regulations.

ACCESS:

Proposed Lot 1 is abutted by South Dakota Highway 44 on the southern boundary. The plat does not identify a non-access easement along proposed Lot 1. Prior to submittal of a Final Plat application the applicant shall revise the plat document to identify a non-access easement along the southern portion of proposed Lot 1 where it abuts South Dakota Highway 44. In addition, an approach permit shall be obtained from the South Dakota Department of Transportation for proposed Lot 1.

Proposed Lot 2 abuts Radar Hill Road and South Dakota Highway 44. The plat document does not identify a non-access easement along proposed Lot 2. Prior to submittal of a Preliminary Plat the applicant shall revise the plat document to identify an non-access easement along South Dakota Highway 44 and Radar Hill Road. Staff has noted that access to proposed Lot 2 shall be taken from Radar Hill Road.

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.

Staff recommends that the Layout Plat be approved assuming compliance with the stated stipulations.