

STAFF REPORT  
April 24, 2008

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**No. 08PL043 - Layout Plat**

**ITEM 51**

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GENERAL INFORMATION:

APPLICANT	Herman Jones
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Herman and Wanda Jones Revocable Trusts
REQUEST	<b>No. 08PL043 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 1 of Fort Hayes Subdivision and Lot 4 Revised of Lot 4, located in the NE1/4 SE1/4, Section 34, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 Revised of Fort Hayes Subdivision and Lot 4 Revised of Lot 4, located in the NE1/4 SE1/4, Section 34, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.28 acres
LOCATION	2255 and 2505 Fort Hayes Drive
EXISTING ZONING	Suburban Residential District - Highway Services District (Pennington County)
SURROUNDING ZONING	
North:	Highway Services District (Pennington County)
South:	Highway Services District (Pennington County)
East:	Highway Services District (Pennington County)
West:	Suburban Residential District - Highway Services District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, information on the location of the drain field, depth and type of soil, capacity of septic tanks and percolation tests demonstrating that the soils are suitable for on-site wastewater treatment systems shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat application, data to confirm that the well(s) have

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- sufficient domestic flows, water quality, and the location of the existing well(s) shall be submitted for review and approval;
3. Prior to Preliminary Plat approval by the City Council, plans for U.S. Highway 16 shall be submitted shall be submitted for review and approval showing U.S. Highway 16 constructed with a minimum 36 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, a non-access easement shall be identified along the eastern lot line, as no access will be allowed onto U.S. Highway 16;
  4. Prior to Preliminary Plat approval by the City Council, plans for Fort Hayes Drive shall be submitted for review and approval showing Fort Hayes Drive constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  5. Prior to Preliminary Plat approval by the City Council, the applicant shall dedicate an additional 6 feet of right-of-way and submit construction plans for the access easement for review and approval or obtain a Variance to the Subdivision Regulations or Vacate the access easement;
  6. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval
  7. Upon submittal of a Final Plat application, surety shall be posted and subdivision inspection fees be paid as required;
  8. Prior to Final Plat approval, portions of the property shall be rezoned to allow the existing development. In addition, prior to Final Plat approval existing structures shall be removed or relocated to comply with Pennington County Zoning Ordinance and The City of Rapid City Municipal Code; and,
  9. Prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

**GENERAL COMMENTS:** The applicant has submitted a Layout Plat to reconfigure two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way and install pavement, curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16 of the Rapid City Municipal Code. The property is currently zoned Highway Services District and Suburban Residential District in Pennington County and is located southwest of the intersection of Fort Hayes Drive and U.S. Highway 16. Currently a commercial development and a single family residence are located on the existing lots. The proposed subdivision will not increase the density of 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

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whichever is applicable.

STAFF REVIEW:

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

Zoning: The applicant should be aware that prior to Final Plat approval, portions of the property must be rezoned to allow the existing development. In addition, prior to Final Plat approval existing structures must be removed or relocated to comply with Pennington County Zoning Ordinance and The City of Rapid City Municipal Code.

Sewer: The plans indicate existing on-site wastewater treatment systems. Staff noted that information on the location of the drain field, depth and type of soil, capacity of septic tanks and percolation tests demonstrating that the soils are suitable for on-site wastewater treatment systems must be submitted for review and approval. In addition, it appears a lagoon is located in the existing access easement. This would have to be relocated or the access easement would have to be vacated. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat application.

Water: The application indicates a private water source. Staff noted that data to confirm that the well(s) have sufficient domestic and fire flows, water quality, and the location of the existing well(s) 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.

U.S. Highway 16: U.S. Highway 16 is located along the eastern lot line of the proposed subdivision. U.S. Highway 16 is on the State Highway System and is identified as an arterial street on the Major Street Plan requiring a minimum 100 foot of right-of-way. The developer is responsible for constructing an arterial street to a collector street standard. Any expansion of the road beyond a collector street standard is considered over sizing and is not the developer's responsibility. Currently, U.S. Highway 16 is located in a 400 foot wide right-of-way with four paved travel lanes. There is no curb and gutter, street light conduit or sidewalks currently constructed in U.S. Highway 16. The applicant has requested a Variance to the Subdivision Regulations (#08SV020) to waive the requirements to improve U.S. Highway 16 in conjunction with this plat request. As such, staff recommends that prior to Preliminary Plat approval by the City Council, plans for U.S. Highway 16 shall be submitted as identified or a Variance to the Subdivision Regulations must be obtained. In addition, a non-access easement shall be identified along the eastern lot line, as no access will be allowed onto U.S. Highway 16.

Fort Hayes Drive: Fort Hayes Drive is located along the north lot line of the property and is classified as a commercial/industrial street requiring that the street be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer. Currently, Fort Hayes Drive is located in a minimum 66 foot wide right-of-way with a paved surface. The applicant has requested a Variance to the Subdivision Regulations (#08SV020) to waive the requirements to improve Fort Hayes Drive in conjunction with this plat request. As such, staff recommends that prior to Preliminary Plat approval by the City Council, plans for Fort Hayes

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Drive must be submitted as identified or a Variance to the Subdivision Regulations must be obtained.

Private Access Easement: The access easement is located between the two lots and is classified as a commercial/industrial street requiring that the street be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer. Currently, the access easement is undeveloped with a 53 foot wide right-of-way. However, there is currently a lagoon and other structures located within the access easement. As such, staff recommends that prior to Preliminary Plat approval by the City Council, the applicant shall dedicate an additional 6 feet of right-of-way and submit construction plans for the access easement for review and approval or obtain a Variance to the Subdivision Regulations or Vacate the access easement.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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 addition, 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.