

STAFF REPORT
June 5, 2008

No. 08PL072 - Layout Plat

ITEM 39

GENERAL INFORMATION:

APPLICANT	Donnie Kirschenman
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Donnie Kirschenman
REQUEST	No. 08PL072 - Layout Plat
EXISTING LEGAL DESCRIPTION	Tract C less Lots H1 and H2 of Westberry Trails, located in the S1/2, Section 31, T2N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 4 of Westberry Trails, formerly Tract C less Lots H1 and H2 of Westberry Trails located in the S1/2, Section 31, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 24.7 acres
LOCATION	South Canyon Road south of Wide View Drive
EXISTING ZONING	Suburban Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Suburban Residential District
East:	Suburban Residential District
West:	Suburban Residential District
PUBLIC UTILITIES	Private on-site water and waster
DATE OF APPLICATION	5/9/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to submittal of a Preliminary Plat application, an Exception shall be obtained to allow 71 dwelling units with one point of access in lieu of 40 dwelling units or a second point of access shall be provided;
2. Upon submittal of a Preliminary Plat application, construction plans for South Canyon Road shall be submitted for review and approval. In particular, the plans shall show the street located within a minimum 100 foot wide right-of-way and constructed with a

STAFF REPORT
June 5, 2008

No. 08PL072 - Layout Plat

ITEM 39

- minimum 36 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
3. Upon submittal of a Preliminary Plat application, the applicant shall submit documentation verifying the right to use the existing streets within Westberry Trails for the proposed development;
 4. Upon submittal of a Preliminary Plat application, construction plans for Timberline Road shall be submitted for review and approval. In particular, the plans shall show the street located within 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 or a Variance to the Subdivision Regulations shall be obtained;
 5. Upon submittal of a Preliminary Plat application, road construction plans for the proposed 49 foot wide access and utility easement shall be submitted for review and approval. In particular, the plans shall show the street located in a minimum 49 foot right-of-way and 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. In addition, the construction plans shall identify the construction of a permanent turnaround at the end of the cul-de-sacs with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained;
 6. Upon submittal of a Preliminary Plat application, the applicant shall submit documentation showing the previously recorded wilderness trail to determine whether the trail should be improved as a part of this plat or vacated and retained as a utility easement;
 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 utilized, 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. The plat document shall also be revised to provide utility easements as needed;
 8. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension water mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If a private water system is utilized, then an on-site water plan prepared by a Professional Engineer shall be submitted for review and approval. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements as needed;
 9. Upon submittal of a Preliminary Plat application, a Master Utility Plan shall be submitted for review and approval. In addition, the plat document shall be revised to show utility easements as needed;
 10. Upon submittal of a Preliminary Plat application, topographic information at five foot contour intervals for all of the developed areas, including streets, existing and proposed building envelopes and on-site wastewater system areas, shall be submitted for review and approval;
 11. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;
 12. Upon submittal of a Preliminary Plat application, a grading plan and a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall comply with

STAFF REPORT
June 5, 2008

No. 08PL072 - Layout Plat

ITEM 39

- the Drainage Criteria Manual. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. In addition, the plat document shall be revised to provide drainage easements as necessary;
13. Upon submittal of a Preliminary Plat application, a reserve drainfield area for on-site wastewater treatment shall be shown on the plat or a note shall be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area for on-site wastewater treatment will be identified and held in reserve unless a public sewer system is provided;
 14. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along South Canyon Road except for approved approach location(s);
 15. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a 10 foot wide planting screen easement along South Canyon Road or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s);
 16. Upon submittal of a Preliminary Plat application, a Wild Fire Mitigation Plan shall be submitted for review and approval. In addition, prior to submittal of a Final Plat application, the plan shall be implemented;
 17. Upon submittal of a Preliminary Plat application, a grading plan and erosion and sediment control plan shall be submitted for review and approval if subdivision improvements are required;
 18. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a street name for the proposed 49 foot wide access and utility easement;
 19. Upon submittal of a Preliminary Plat application, the plat title shall be revised to read "Lots 1 thru 4 of Tract C of Westberry Trails...";
 20. Upon submittal of a Preliminary Plat application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 21. 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,
 22. Prior to the City's acceptance of the public improvements, warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to subdivide a 24.7 acre lot into four residential lots. The lots range in size from five acres to 8.3 acres.

The property is located approximately 700 feet east of the intersection of Wide View Drive and South Canyon Road on the south side of South Canyon Road. Currently, a single family residence is located on proposed Lot 1. The balance of the property is 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

STAFF REPORT
June 5, 2008

No. 08PL072 - Layout Plat

ITEM 39

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 an exception, whichever is applicable

STAFF REVIEW:

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

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, Westberry Hill Road serves as exclusive access to Westberry Trails and this property resulting in 68 lots with one point of access. Subdividing the property as proposed will result in 71 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 the development 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. As such, staff is recommending that prior to submittal of a Preliminary Plat application, an Exception be obtained to allow 71 dwelling units with one point of access in lieu of 40 dwelling units or a second point of access must be provided.

The Fire Department has also indicated that the property is located in a high wild fire hazard area. As such, upon submittal of a Preliminary Plat application, a Wild Fire Mitigation Plan must be submitted for review and approval. In addition, prior to submittal of a Final Plat application the plan must be implemented.

Master Utility Plan: The property is located within Tier 1 of the City's Draft Utility Master Plan. The Master Utility Plan identifies that water service will eventually be provided from a future reservoir located west of this site with overflow elevation of 3995 feet. In addition, sewer service will eventually be provided from a future eight inch sewer main extension located in South Canyon Drive. As such, staff is recommending that upon submittal of a Preliminary Plat application, a Master Utility Plan be submitted for review and approval. In addition, the plat document shall be revised to provide utility easements as needed. In particular, the Master Utility Plan may show that a 20 foot wide utility easement is needed along the north lot line of proposed Lot 2 to allow a main extension to proposed Lot 1 and, subsequently, to the proposed access and utility easement.

Even though it may be 15 or more years before City utilities are available to this site, the applicant is required to provide dry sewer and water mains along Canyon Lake Road as a part of this plat review and approval or a Variance to the Subdivision Regulations must be obtained.

Wastewater: Chapter 16.16.050 of the Rapid City Municipal Code states that "sewer collection systems shall be installed in each subdivision within Rapid City and surrounding platting

STAFF REPORT
June 5, 2008

No. 08PL072 - Layout Plat

ITEM 39

jurisdictions in accordance with City specifications". The applicant has indicated that an on-site septic tank and drainfield currently serves the existing residence on proposed Lot 1 and that the balance of the lots will be served by similar individual on-site wastewater systems. Staff is recommending that 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 be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. If individual on-site wastewater systems are utilized as 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. In addition, the plat document must be revised to provide utility easements as needed.

The Pennington County Planning Department has also indicated that upon submittal of a Final Plat application, a reserve area must be shown or a note must 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.

Water: Chapter 16.16.050 of the Rapid City Municipal Code states that "the design and specifications of the water distribution system shall meet Rapid City requirements". The applicant has indicated that a private well is currently located on proposed Lot 1 to serve the existing residence and that individual wells will serve each of the additional lots. Staff is recommending that upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. If a private water system is utilized, then an on-site water plan prepared by a Professional Engineer must be submitted for review and approval. In addition, the water plans must demonstrate that adequate fire and domestic flows are being provided. The plat document must also be revised to provide utility easements as needed.

South Canyon Road: South Canyon Road is located along the north lot line of the property and is classified as a principal arterial street requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, South Canyon Road is located within an approximate 66 foot wide right-of-way and constructed with an approximate 24 foot wide paved surface. As such, staff is recommending that upon submittal of a Preliminary Plat application, construction plans for South Canyon Road be submitted for review and approval. In particular, the construction plans must show the street located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Timberline Road: Timberline Road is located along the south lot line of the property and is classified as a sub-collector street requiring that it be located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface. Staff is recommending that upon submittal of a Preliminary Plat application, construction plans for Timberline Road be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

STAFF REPORT
June 5, 2008

No. 08PL072 - Layout Plat

ITEM 39

49 foot wide Access and Utility Easement: The Layout Plat identifies a cul-de-sac street located within a proposed 49 foot wide access and utility easement to serve the four lots. The street is classified as a lane place street requiring that it be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, the permanent turnaround at the end of the cul-de-sacs must have a minimum 110 foot diameter right-of-way and a minimum 92 foot diameter paved surface. Staff is recommending that upon submittal of a Preliminary Plat, road construction plans for the cul-de-sac street must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Wilderness Trail: The Layout Plat identifies an existing 12 foot wide wilderness trail and a 30 foot wide wilderness trail along the southern lot line of the property. However, due to the steep terrain within this area it is unclear as to the intended purpose of the recorded wilderness trail. As such, staff is recommending that upon submittal of a Preliminary Plat application, the applicant submit documentation showing the previously recorded wilderness trail to determine whether the trail should be improved as a part of this plat or vacated and retained as a utility 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 Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if any subdivision improvements are required.

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 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 any public improvements, Warranty Surety be submitted for review and approval if subdivision improvements are required.

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