

STAFF REPORT  
November 6, 2008

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**No. 08PL139 - Layout Plat**

**ITEM 53**

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GENERAL INFORMATION:

APPLICANT	Angie Charlson
AGENT	Matt Benne
PROPERTY OWNER	Angie Charlson
REQUEST	<b>No. 08PL139 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 4R in Block 15 of Canyon Lake Heights Subdivision, as shown on the plat filed in Plat Book 28, Page 87 and as corrected by Affidavit recorded December 17, 1997 in Book 69, Page 9640, located in the SE1/4 SE1/4, Section 8 and the SW1/4 SW1/4, Section 9, all in T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A, B, C and D of Lot 4R of Block 15 of Canyon Lake Heights Subdivision, located in the SE1/4 SE1/4, Section 8 and the SW1/4 SW1/4, Section 9, all in T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.23 acres
LOCATION	4560 Cliff Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Park Forest District (Planned Residential Development)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	10/10/2008
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Layout Plat be denied without prejudice.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to subdivide one lot into four lots ranging in size

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from .522 acres to 1.578 acres. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #08SV053) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Cliff Drive and to reduce the pavement width from 27 feet to 20 feet and 18 feet along Cliff Drive; to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the 30 foot wide private roadway easement, to reduce the pavement width from 20 feet to 12 feet along the 30 foot wide private roadway easement and to reduce the width of the private roadway easement from 45 feet to 30 feet; to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the 40 foot wide access and utility easement and to reduce the width of the access and utility easement from 45 feet to 40 feet

The property is located west of the intersection of Cliff Drive and Fairview Drive. Currently, a single family residence and a shed are located on the western portion of the property.

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

**Water:** A private well located on the property currently serves the existing single family residence. The applicant has indicated that the private well will be used to serve all four lots. The well data submitted by the applicant shows that the well pump rate is 25 gallons per minute. The Fire Department has indicated that minimum fire flows for a single family residence up to 3,600 square feet in size must be 1,000 gallons per minute @ 20 pounds per square inch. Minimum fire flows for a single family residence in excess of 3,600 square feet in size must be 1,500 gallons per minute at 20 pounds per square inch. Based on the information submitted by the applicant, the existing well will not provide sufficient fire flows for the four proposed lots.

City water is currently located approximately one-half mile northeast of the property. However, at this time, the applicant has not demonstrated that sufficient domestic and fire flows can be provided to support the proposed increase in density. As such, staff recommends that the Layout Plat be denied without prejudice to allow the applicant to address the water issue as identified.

**Sewer:** A private on-site wastewater system, consisting of a septic tank and drainfield, currently serves the residence located on the property. Currently, a City sewer main is located along a portion of Cliff Drive as it abuts the property. In addition, a City sewer main extends

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through the eastern portion of the property to serve the Miracle Place Subdivision located north of the property. Chapter 16.16.050 of the Rapid City Municipal Code states that any subdivision located within 500 feet of the Rapid City sewer system shall be required to hook up to that system. As such, staff recommends 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. The plat document shall also be revised to provide utility easements as needed.

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed Layout Plat identifies that three of the lots will have a length twice the distance of the width. As such, staff recommends that prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations be obtained to allow a lot twice as long as it is wide or the plat document must be revised to comply with the length to width requirement.

Cliff Drive: Cliff Drive is located along the east 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, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Cliff Drive is located within a 50 foot wide right-of-way and constructed with an 18 foot to 20 foot paved surface. As noted above, a City sewer main is located in a portion of Cliff Drive as it abuts the property.

Staff recommends that upon submittal of a Preliminary Plat application, construction plans for Cliff Drive be submitted for review and approval showing a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to show the dedication of one additional foot of right-of-way along Cliff Drive.

30 foot wide Private Roadway Easement: The Layout Plat identifies an existing 30 foot wide private roadway easement centered along the south lot line of the property. The easement is classified as a lane place street requiring that it be located within a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, a permanent turnaround must be provided at the end of the cul-de-sac to provide fire apparatus access. Currently, the 30 foot wide easement has been constructed with an approximate 10 foot wide paved surface.

Staff recommends that upon submittal of a Preliminary Plat application, construction plans for the 30 foot wide private roadway easement be submitted for review and approval showing a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. In addition, the construction plans must show a permanent turnaround constructed at the end of the easement as identified. The plat document must also be revised to show the easement with a minimum 45 foot width or a Variance to the Subdivision Regulations must be obtained. The 30 foot wide private roadway easement must also be shown as a "utility" easement.

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To date, a copy of the recorded easement and/or terms of the easement have not been submitted for review and approval to determine who has the right to use the easement and the limits of that use. As such, staff recommends that upon submittal of a Preliminary Plat application, a copy of the recorded private roadway easement and the terms of the easement be submitted for review and approval. In addition, the applicant must identify maintenance of the easement.

Access and Utility Easement: The Layout Plat identifies a ten foot wide access and utility easement extending west from Cliff Drive approximately 45 feet. The Layout Plat has labeled the easement as a "40 foot wide access and utility easement"; however, the easement measures ten feet in width. As such, staff recommends that upon submittal of a Preliminary Plat application, the plat document be revised to show the easement as a 10 foot wide access and utility easement.

The ten foot wide access and utility easement abuts a portion of the existing 30 foot private roadway easement. It appears that the easement, in conjunction with the existing 30 foot wide private roadway easement will be used to access Lot D. The access and utility easement is classified as a lane place street requiring that it be located within a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer.

Staff recommends that upon submittal of a Preliminary Plat application, construction plans for the access and utility easement be submitted for review and approval showing a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must also be revised to show the easement with a minimum 45 foot width or a Variance to the Subdivision Regulations must be obtained.

Approach Locations: The proposed approach to Lot C must be revised to align with the intersection of Fairview Drive. In addition, the approach location to Lot B must be shifted to provide the minimum separation required between approaches as per the Street Design Criteria Manual or an Exception must be obtained.

It appears that access to Lot D will be taken from the access and utility easement extending along the south lot line of the lot. However, the length of the easement is only 45 feet and the Street Design Criteria Manual states that a minimum 50 foot separation be provided between the adjacent street and the approach location.

Staff recommends that prior to submittal of a Preliminary Plat application, the plat document be revised to meet the spacing requirements for approaches as per the Street Design Criteria Manual or Exception(s) must be obtained.

Grading and Drainage Plan: As previously indicated, a sewer main extends through the property bisecting Lots B and C. Staff recommends that upon submittal of a Preliminary Plat application, a grading plan be submitted for review and approval identifying future building envelopes on proposed Lots B and C to ensure that an adequate building site exists on each lot.

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Staff also recommends that upon submittal of a Preliminary Plat application, a drainage plan be submitted for review and approval. In particular, the drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. The plat document must also be revised to provide drainage easements as necessary.

Stormwater Management Plan: The City Council 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 recommends that upon submittal of a Preliminary Plat application, 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 Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff recommends 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 recommends that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

Plat Labeling: The plat document shows the proposed dedication of a "20 foot wide sewer main easement" for the existing City sewer main that extends through the property. Upon submittal of a Preliminary Plat application, the plat document must be revised to show the easement as a "20 foot wide public sewer main easement".

The Register of Deed's Office has indicated that the plat heading must be revised to include "(formerly Lot 4R of Block 15 of Canyon Lake Heights Subdivision)". Upon submittal of a Preliminary Plat application, the plat heading must be revised as identified.

As previously noted, the applicant has not demonstrated that sufficient domestic and fire flows can be provided to support the proposed increase in density. As such, staff is recommending that the Layout Plat be denied without prejudice to allow the applicant to address the water issue.