

STAFF REPORT
March 26, 2009

No. 09PL001 - Layout Plat

ITEM 13

GENERAL INFORMATION:

APPLICANT/AGENT	Gene Quinn
PROPERTY OWNER	Gene R. Quinn
REQUEST	No. 09PL001 - Layout Plat
EXISTING LEGAL DESCRIPTION	Tract A of Government Lot 1 and Tract A of Government Lot 2, located in the W1/2 of the NW1/4, Section 18, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract A Revised Lots 1 thru 5 of Block 1 of Blake Estates Subdivision, located in the W1/2 of the NW1/4, Section 18, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 35.23 acres
LOCATION	6620 West Highway 44
EXISTING ZONING	Planned Unit Development (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Low Density Residential District - Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private on-site wastewater system and private community well
DATE OF APPLICATION	1/21/2009
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff recommends that the **Planning Commission acknowledge the applicant's withdrawal of the Layout Plat.**

GENERAL COMMENTS:

(Update, March 9, 2009. All revised and/or added text is shown in bold print.) This item was continued at the February 19, 2009 Planning Commission meeting to allow the applicant to submit additional information. On March 3, 2009, staff met with the

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applicant to discuss several of the outstanding issues. The applicant has subsequently indicated that a revised Layout Plat will be submitted for review and approval proposing three lots in lieu of six lots as originally requested. On March 9, 2009, the applicant withdrew the Layout Plat. Staff is recommending that the Planning Commission acknowledge the applicant's withdrawal of the Layout Plat.

The applicant has submitted a Layout Plat to subdivide 35.23 acres into six lots. The applicant has indicated that the subdivision is to be known as "Blake Estates".

On August 7, 2006, the City Council approved a Layout Plat (File #06PL081) to subdivide the 35.23 acre parcel into 15 residential lots and one common lot. In addition, the City Council approved in part and denied in part a Variance to the Subdivision Regulations (File #06SV034) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along West S.D. Highway 44, to install curb, gutter, sidewalk and street light conduit along Blake Lane, and, to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along an access easement.

On February 7, 2006, the County Board of Commissioners denied a request to rezone the subject property from General Agriculture District to Suburban Residential District. On May 23, 2006, the County Board of Commissioners approved a Planned Unit Development request to allow 15 single family residential lots with one common lot on the property.

The property is located approximately one-half mile west of the City limits of Rapid City on the north side of West S.D. Highway 44. Currently, 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 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:

Zoning: As previously indicated, a Planned Unit Development has been approved by Pennington County for the property to allow 15 single family residential lots and one common lot. This Layout Plat results in an alternate lot configuration and an alternate access to the development. As such, the Pennington County Planning Department staff has indicated that a new Planned Unit Development must be submitted for review and approval to allow the proposed revisions.

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Staff recommends that the Layout Plat be continued to allow the applicant to address the zoning issues with Pennington County.

Tract A Revised: The Layout Plat identifies Tract A Revised, a 16.608 acre lot, located along the northern portion of the property. However, the Layout Plat does not show access to the proposed lot. Even though a section line highway is located along the west property line of the 35.23 acre parcel, the Layout Plat does not show whether the section line highway is intended to serve as access to Tract A Revised. In particular, the Layout Plat must show the dedication of the section line highway as right-of-way to provide access to Tract A Revised if that is the intent of the applicant. Staff recommends that the Layout Plat be continued to allow the applicant to revise the Layout Plat to provide access to Tract A Revised.

Access to Adjacent Properties: Chapter 16.20.030.B of the Rapid City Municipal Code states that “the street pattern shall be in conformity with a plan for the most advantageous development of the entire neighborhood area. Sufficient proposed streets shall be extended as far as the boundary lines of the tract to be subdivided in order to ensure normal circulation of traffic within the vicinity.” Currently, Nameless Cave Road serves as exclusive access to several parcels located north of this property. Areas along Nameless Cave Road are currently designated as a high wildfire hazard area. In addition, it is anticipated that several of the larger parcels located along Nameless Cave Road may be further subdivided in the future. As such, during the review of the previous Layout Plat, it was noted that a lane place street must be extended through this property to provide access to the property located north of this site in order to provide a second point of access to the Nameless Cave Road area pursuant to Chapter 16.20.030.B. In addition, the City and County Fire Department staff noted that a second point of access was needed through this site to provide fire apparatus access into the area if needed. Subsequently, the previous Layout Plat was revised to show a 49 foot wide access easement extending from Blake Road to the north lot line of the property.

Staff had met with this applicant before he submitted this Layout Plat and noted that the street connection through the site would be needed as a part of any subdivision of the property. However, this Layout Plat was submitted without the street connection to the adjacent property. As such, staff is recommending that the Layout Plat be continued to allow the applicant to revise the plat to provide access to the properties located north of this site pursuant to Chapter 16.20.030B of the Rapid City Municipal Code. In particular, the Layout Plat must be revised to show the street located within a minimum 49 foot wide right-of-way.

The applicant should be aware that upon submittal of a Preliminary Plat application, construction plans must be submitted for review and approval showing the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained.

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 2 of the lots will have a length twice the distance of the width. As such, staff is recommending that prior to

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Preliminary Plat approval by the City Council, an Exception 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.

Sewer: The applicant has indicated that a private on-site septic tank and drainfield will serve each lot. However, the property is located over the Madison Aquifer Recharge Area. In the past the City and the County have required a minimum 10 acre lot size when the property being subdivided is located within the Madison Aquifer Recharge Area. The proposed Layout Plat identifies a 1.813 acre lot, two 3 acre lots, a 3.142 acre lot, a 7.028 acre lot and a 16.608 acre lot. Five of the six lots are less than 10 acres in size.

During the review of the previous Layout Plat, it was identified that a sanitary sewer system would be extended to connect with the Rapid Canyon Sanitary Sewer District located east of this site. In addition, the previous applicant submitted a letter from the Rapid Canyon Sanitary Sewer District indicating that they have no objection to the proposed subdivision connecting with the Sewer District.

Public Works staff has indicated that Rapid City's Master Utility Plan identifies the property within "Tier One" which implies that the area is an anticipated near term development project in lieu of a long range development project. As such, sanitary sewer mains must be provided as a part of this subdivision. In addition, since the property is located over the Madison Aquifer Recharge Area, a central sanitary sewer system must be provided as a part of this development. The applicant has the option of designing an independent central sanitary sewer system or continuing the previous discussions with Rapid Canyon Sanitary Sewer District to connect to their system.

Staff recommends that the Layout Plat be continued to allow the applicant to address the sanitary sewer issue as identified.

Water: The applicant has indicated that a well will be drilled to serve the proposed lots. In addition, each home will be required to have a cistern and a two gallon per minute restrictor on the incoming water line to the cistern. However, the Pennington County Planning Department has indicated that a stipulation of approval of the previously approved Planned Unit Development requires that "the applicant install an operational centralized water system with fire hydrants and water mains of adequate size to provide 1,000 gallons per minute for two hours or as approved by the Pennington County Fire Coordinator and the Rapid City Fire Chief or his designee." To date, the applicant has not submitted a water system analysis verifying that the proposed source will provide the adequate water quantity for domestic and fire flows. As such, staff recommends that the Layout Plat be continued to allow the applicant to submit the water system analysis and to address the previously approved Planned Unit Development stipulation with Pennington County.

The applicant should be aware that the property is within one mile of the City limits requiring that adequate fire flows be provided or, if that is not possible, then to ensure that all residential structures are provided with fire sprinkler protection as per the National Fire Protection Association Code 13D.

Drainage: As part of the Preliminary Plat application, a grading plan and an erosion and

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sediment control plan for all improved areas must be submitted for review and approval. In addition, a drainage plan must be submitted for review and approval. In particular, the drainage facilities must be designed in compliance with the Drainage Criteria Manual. The drainage plan must also demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. If on-site detention is required, then design calculations and details for the detention must be submitted for review and approval.

The proposed drainage easement as shown on the Layout Plat, reflects a change to the existing course of water. As such, the proposed design of the new ditch section and supporting calculations must be submitted for review and approval as a part of the Preliminary Plat application.

Chapter 8.48.020 of the Rapid City Municipal Code states that "All new development, or any redevelopment, which causes an increase in the impervious percentage for that site, with connected impervious area of greater than 15% shall be required to provide stormwater treatment of the runoff generated by the first 0.5 inches of rainfall." Staff recommends that upon submittal of a Preliminary Plat application, provisions for stormwater quality must be submitted for review and approval. In addition, a drainage and grading plan, as well as an erosion and sediment control plan, must be submitted for review and approval. The plat document must also be revised to provide drainage easements as necessary.

West S.D. Highway 44: West S.D. Highway 44 is located along the south lot line of the subject property and is classified as a principle arterial street on the City's Major Street Plan requiring that the street be 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, sidewalk, water and sewer. Currently, West S.D. Highway 44 is located in a 150 foot wide right-of-way with an approximate 36 foot wide paved surface. Staff recommends that upon submittal of a Preliminary Plat application, construction plans for West S.D. Highway 44 providing a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

The Layout Plat identifies access to Lot 1 from West S.D. Highway 44. As such, prior to submittal of a Preliminary Plat application, an Approach Permit must be obtained from the South Dakota Department of Transportation to allow the approach onto the State highway.

Blake Road: The Layout Plat identifies Blake Road extending north from West S.D. Highway 44 along a portion of the east lot line of the subject property. Blake Road 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, water and sewer. As such, staff recommends that upon submittal of a Preliminary Plat application, road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Blake Lane: The Layout Plat identifies Blake Lane, a cul-de-sac street, extending west and north into the subject property to serve as access to four of the lots. Blake Lane 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

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conduit, water and sewer. Staff recommends that upon submittal of a Preliminary Plat application, road construction plans for the cul-de-sac street be submitted for review and approval as identified. In addition, the construction plans must show the construction of a permanent turnaround at the end of the cul-de-sac with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface or a Variance to the Subdivision Regulations must be obtained.

The Fire Department staff has indicated that the property is located in a moderate to high wildfire hazard area. The Street Design Criteria Manual states that a cul-de-sac shall not exceed 500 feet in a moderate to high wildfire hazard area. The Layout Plat identifies Blake Lane as an approximate 860 foot long cul-de-sac street. Staff is recommending that prior to submittal of a Preliminary Plat application, an Exception to the Street Design Criteria Manual be obtained to allow an 860 foot long cul-de-sac street with no intermediate turnaround(s) in lieu of a maximum 500 foot long cul-de-sac with an intermediate turnaround every 600 feet or the plat document must be revised accordingly.

Section Line Highway: A north-south section line highway and an east-west section line highway are located along the west lot line and the north lot line of the property, respectively. The section line highways are classified as lane place streets requiring that they be constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the 66 foot wide section line highway must be dedicated as right-of-way. To date, the section line highways are unimproved. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans must be submitted for review and approval showing the section line highway(s) constructed as identified and the 66 foot wide section line highway dedicated as right-of-way or a Variance to the Subdivision Regulations must be obtained or the section line highway(s) must be vacated. A portion of the section line highways is located on an adjacent property under different ownership from the subject property. The Subdivision Regulations states that "...where there exists a dedicated or platted half-street adjacent to the tract to be subdivide, the other half shall be platted. No new half-streets shall be permitted." Vacating only that portion of the section line highway located on the subject property will create a half-street. As such, the entire section line highway must be vacated or a Variance to the Subdivision Regulations must be obtained. If the applicant seeks to vacate a portion of the section line highway(s), the adjacent property owner will need to concur in the request. Prior to City Council approval of the Preliminary Plat, the section line highway issue must be addressed as identified or construction plans for the streets must be submitted for review and approval.

Register of Deed's: The Register of Deed's Office has indicated that Tract A revised should be labeled "Tract A" or "Tract 1". In addition, the Register of Deed's Office questions whether Tract A Revised is part of Block 1. If it is not, then the plat heading should be revised to Lots 1 thru 5, Block 1 and Tract....."

Staff recommends that the plat title be revised as identified prior to submittal of a Preliminary Plat application.

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

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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. Upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual must 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. Upon submittal of a Final Plat application, surety must 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. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

Staff recommends that the Planning Commission acknowledge the applicant's withdrawal of the Layout Plat.