

STAFF REPORT
February 4, 2010

No. 10PL001 - Layout Plat

ITEM 19

GENERAL INFORMATION:

APPLICANT	Brian Dail
AGENT	D.C. Scott Co. Land Surveyors
PROPERTY OWNER	Brian Dail
REQUEST	No. 10PL001 - Layout Plat
EXISTING LEGAL DESCRIPTION	The unplatted portion of the N1/2 NW1/4, Section 23, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract 1 of Dail Subdivision, located in the N1/2 of the NW1/4, Section 23, T1N, R8E, BHM Pennington County, South Dakota
PARCEL ACREAGE	Approximately 25.4 acres
LOCATION	Southeast of the intersection of Reservoir Road and Green Valley Drive and west of Greenwood Lane
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Limited Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	General Agricultural District
PUBLIC UTILITIES	Private well, septic tank and drainfield
DATE OF APPLICATION	1/8/2010
REVIEWED BY	Ali DeMersseman / Karley Halsted

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, the property shall be annexed into the City limits of Rapid City;
2. Upon submittal of a Preliminary Plat application, any portion of the land in or adjacent to the subdivision subject to periodic inundation must be clearly shown and identified on the plat. In addition, prior to approval of construction plans a Flood Plain Development Permit and a US Army Corps of Engineers 404 Permit shall be obtained as needed;
3. Upon submittal of a Preliminary Plat application, road construction plans for the arterial

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- street, Reservoir Road, shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 100 foot wide 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 plat document shall be revised to show the dedication of 17 additional feet of right-of-way along Reservoir Road or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to submittal of the Preliminary Plat application, an Approach Permit shall be obtained from the Pennington County Highway Department. In addition, any proposed approach locations shall be identified on the plans, and the plat document shall identify non-access easements along the balance of Reservoir Road as per the Street Design Criteria Manual;
 5. 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. The Rapid City Master Utility Plan identifies the property within "Tier One." As such, dry sewer shall be provided even if on-site wastewater systems are proposed to be utilized in the interim. If individual on-site wastewater systems are utilized, then an on-site waste water plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;
 6. 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 and approval or a Variance to the Subdivision Regulations shall be obtained. If a private 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 plan shall demonstrate the adequate fire and domestic flows are being provided;
 7. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. The plat document shall also provide drainage easements as needed;
 8. Upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval for any required subdivision improvements;
 9. Upon submittal of the Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 10. 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;
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and
 12. The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS: The applicant has submitted a Layout Plat to create a 25.4 acre

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transferable lot from a 66.5 acre unplatted parcel. The property is located approximately 1.2 miles south of the intersection of East SD Highway 44 and Reservoir Road, within Pennington County. However, the Rapid City corporate limits are directly west of the property on the west side of Reservoir Road. 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, the 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 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:

Annexation: The City Council Resolution to Require the Annexation of Contiguous Land Before Platting, states that “any area that is contiguous to Rapid City, which the owner desires to have platted into tracts, lots, or blocks shall be first annexed to Rapid City previous to the approval of the Preliminary Plat and after the approval of the Layout Plat.” The Rapid City corporate limits are adjacent to the property at Reservoir Road. As such, prior to Preliminary Plat approval by the City Council, the property must be annexed into the City limits of Rapid City.

Zoning: The property is currently zoned Limited Agriculture District by Pennington County. Upon annexation, the property will be zoned No Use District. Prior to the issuance of a building permit, the property must be rezoned in accordance with the Rapid City Future Land Use Plan. The Future Land Use Plan identifies this property as a Low Density Residential District with an alternate land use of Public.

Flood Plain and Wetlands: The property is located within the 100 year Federally Designated Flood Plain. In addition, staff has indicated that wetlands may be present on the property. Section 16.20.040.H of the Rapid City Municipal Code requires that any portion of the land in or adjacent to the subdivision subject to periodic inundation must be clearly shown and identified on the plat. In addition, prior to approval of construction plans, a Flood Plain Development Permit and a US Army Corps of Engineers 404 Permit must be obtained as needed

Reservoir Road: Reservoir Road is located along the western lot line of the property and is classified as a principal 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 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff recommends that upon submittal of a Preliminary Plat application, road construction plans

for the arterial street Reservoir Road be submitted for review and approval. In particular, the road construction plans must show the street located in a minimum 100 foot wide 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 must be obtained. Furthermore, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way at Reservoir Road or a Variance to the Subdivision Regulations must be obtained.

Wastewater System: The applicant has indicated that a septic tank and drainfield are proposed to serve the property. However, the plans do not show the proposed location of the on-site wastewater system. As such, upon submittal of a Preliminary Plat application, an on-site wastewater plan prepared by a Registered Professional Engineer must be submitted for review and approval. In particular, the plan must include the location and capacity of all areas acceptable for septic tanks and drainage fields, as well as the location of percolation test holes and the results of percolation tests demonstrating that the soils are suitable for an on-site wastewater system. In addition, due to the location of the property within the flood plain, the plan must reference the base flood elevations at the locations of the proposed septic tank and drain field.

The Rapid City Master Utility Plan identifies the property within "Tier One", which indicates that the area is an anticipated near term development project in lieu of a long range development project. As such, dry sewer must be provided even if on-site wastewater systems are proposed to be utilized in the interim. 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 must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Water System: The applicant has indicated that a private well will serve the property. However, the location of the proposed well was not shown on the submitted plans. In addition, staff has noted concerns regarding the water in this area, as it is high in nitrates and is considered non-potable. Furthermore, the applicant should be aware that the location, construction and use of a well on the property must meet Health Department Regulations.

The Rapid City Master Utility Plan identifies a 12 inch water main in Reservoir Road at this location. Upon submittal of a Preliminary Plat application, 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 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.

Green Valley Sanitary District: The property is located within the Green Valley Sanitary District Service Area. The Green Valley Sanitary District has indicated a number of concerns regarding the platting and potential development of the property due to its location within the flood plain, as well as the proposed use of a septic tank and drain field on the site. The applicant should be aware that the Green Valley Sanitary District has indicated that the applicant must agree to connect to public water and sewer once the services become available to the property and abandon private systems in accordance with State

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requirements.

Drainage: As part of the Preliminary Plat application, a grading plan, including cut and fill quantities, and an Erosion and Sediment Control Plan for all improved areas must be submitted for review and approval. In particular, the drainage facilities must be design in compliance with the Drainage Criteria Manual. The drainage plan must also demonstrate that 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. In addition, the plat document must 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 Plan 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. Upon submittal of a Final Plat application, surety must be posted and subdivision inspection fee 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. 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.

Approach Information: Prior to submittal of the Preliminary Plat, an Approach Permit must be obtained from the Pennington County Highway Department. In addition, any proposed approach locations must be identified on the plans, and the plat document must identify non-access easements along the balance of Reservoir Road as per the Street Design Criteria Manual.

Permits: The applicant should be aware that an Air Quality Construction Permit is required for construction activities disturbing one acre or more of surface area. If subdivision improvements are required, and one acre or more of surface area is disturbed, an Air Quality Permit is required.

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