

STAFF REPORT  
August 26, 2010

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**No. 10PL050 - Preliminary Plat**

**ITEM 21**

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GENERAL INFORMATION:

APPLICANT/AGENT	Ron Davis for Davis Engineering, Inc.
REQUEST	<b>No. 10PL050 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	The unplatted portion of Tract F of the NE1/4 of the NW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.69 acres
LOCATION	East of Reservoir Road and on the south side of Long View Road
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	7/9/2010
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. 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. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to either show the existing 8 foot wide minor drainage and utility easement located along the existing south lot line on Lot 1 or the plat document shall be revised to show the vacation of the existing minor drainage and utility easement. In addition, written documentation from all of the affected utility companies shall be submitted for review and approval indicating concurrence with the vacation;
4. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;

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5. Prior to Preliminary Plat approval by the City Council, a copy of the recorded utility easements for the 52 foot wide sanitary sewer easement located at the south end of Knuckleduster Road and the 49 foot wide sanitary sewer easement located at the east end of Wesson Road, as shown on the construction plans, shall be submitted for review and approval;
  6. Prior to Preliminary Plat approval by the City Council, a site plan showing the existing development located on Lot 1 shall be submitted for review and approval;
  7. Prior to Preliminary Plat approval by the City Council, water system plans prepared by a Registered Professional Engineer verifying the source and demonstrating sufficient quantities for fire flows must be submitted for review and approval;
  8. Prior to Preliminary Plat approval by the City Council, a turnaround shall be provided at the terminus of Wesson Road in compliance with Section 5.2.3 of the Street Design Criteria Manual. In particular, the turnaround shall be located within a minimum 110 foot diameter right-of-way and constructed with a minimum 96 foot diameter paved surface or an Exception shall be obtained;
  9. **Prior to Preliminary Plat approval by the Planning Commission**, the outstanding grading, drainage, and construction issues associated with the previous phases of development shall be completed as follows:
    - 1) Phases 1 and 2:
      - Repair settlement on Remington Street at locations identified during the field inspection on June 4, 2010;
    - 2) Phase 3A:
      - Complete final grading and seeding of the detention pond;
    - 3) Phase 3B:
      - Remove rock and debris, complete grading and seed drainage channel to the east of the drainage pan and sidewalk bridge;
    - 4) Phase 3C:
      - Complete grading and seed the remaining portions of the drainage channel between the lots and north of the detention pond;
    - 5) Phase 4A:
      - Backfill, grade and seed back of curb along Knuckleduster Road; and,
      - Install erosion and sediment control fences, hay bales, compost socks, etc. as necessary to prevent sediment run-off from the project site. Maintain all erosion control measures until permanent vegetation is established.
- In addition, warranty surety shall be posted for these improvements;
10. **Prior to Preliminary Plat approval by the Planning Commission, the outstanding violations on the property shall be resolved with Pennington County. In particular, the vehicles, construction debris and plumbing items shall be removed from the property;**
  11. Prior to submittal of a Final Plat application, the plat document shall be revised to show a notation vacating Lot 1 of Block 8 pursuant to South Dakota Codified Law 11-3-20.2;
  12. Prior to submittal of a Final Plat application, the plat title shall be revised to include "formerly Lot 1 of Block 8";
  13. 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;

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14. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
15. The approved Preliminary 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:

**(Update: August 12, 2010. All revised and/or added text is shown in bold print.) This item was continued at the August 5, 2010 Planning Commission meeting to allow the applicant to address the outstanding grading, drainage, and construction issues associated with the previous phases of development as identified in stipulation No. 9. In particular, Monica Leitheiser, owner of 6187 Flintlock Court, informed the Planning Commission of an on-going drainage issue along the west lot line of her property. To date, the drainage improvement has not been completed causing water retention in her back yard. Mrs. Leitheiser requested that no further platting at Murphy Ranch Estates be allowed until the drainage issue is resolved. The Planning Commission subsequently recommended that the Preliminary Plat be continued for two weeks to allow the applicant to address all of the outstanding, grading, drainage and construction issues associated with previous phases of the development. In addition, on August 12, 2010, the Pennington County Code Enforcement Officer identified that vehicles, construction debris and plumbing items currently exist on this phase of the development and must be removed prior to approval of the Preliminary Plat. Staff will notify the Planning Commission at their August 26, 2010 Planning Commission meeting if these issues are not resolved.**

The applicant has submitted a Preliminary Plat to create 8 lots leaving an unplatted balance. The Preliminary Plat identifies the 8 lots as Lots 1R, 9, 10 and 11 of Block 8 and Lots 3 through 6 of Block 10, Murphy Ranch Estates. The proposed Preliminary Plat is Phase 4B of the Murphy Ranch development.

On June 7, 2010, the City Council denied without prejudice at the applicant's request a Preliminary Plat (File #10PL020) to create 15 lots, which included this property.

The Preliminary and Final Plat for Phase 1 of Murphy Ranch Estates Subdivision (File #02PL093) was approved by the City Council on March 15, 2004 and created 37 residential lots. Subsequently, Phase 2 (File #05PL043), Phase 3A (File #06PL136), Phase 3B (File #07PL136), Phase 3C (File #08PL067), and Phase 4A (File #09PL079) of Murphy Ranch Estates Subdivision were platted creating an additional 60 lots within the subdivision.

The property is zoned Suburban Residential District by Pennington County and is located south of Long View Road and east of Reservoir Road. A single family residence is located on Lot 1 of Block 8. The balance of the property is void of any structural development.

STAFF REVIEW: Staff has reviewed the Preliminary Plat application and has noted the following considerations:

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Subdivision Improvements: To date, outstanding grading, drainage, and construction issues associated with the previous phases of development have not been completed. The following is a summary of the outstanding required improvements:

- 6) Phases 1 and 2:
  - Repair settlement on Remington Street at locations identified during the field inspection on June 4, 2010;
- 7) Phase 3A:
  - Complete final grading and seeding of the detention pond;
- 8) Phase 3B:
  - Remove rock and debris, complete grading and seed drainage channel to the east of the drainage pan and sidewalk bridge;
- 9) Phase 3C:
  - Complete grading and seed the remaining portions of the drainage channel between the lots and north of the detention pond;
- 10) Phase 4A:
  - Backfill, grade and seed back of curb along Knuckleduster Road; and,
  - Install erosion and sediment control fences, hay bales, compost socks, etc. as necessary to prevent sediment run-off from the project site. Maintain all erosion control measures until permanent vegetation is established.

The Planning Commission directed the applicant to address all outstanding issues as part of the review and approval of the Preliminary Plat of Phase 4A. As such, staff recommends that prior to submittal of a Final Plat application, all of the outstanding issues be completed and warranty surety be posted as required.

Structural Site Plan: A single family residence is currently located on proposed Lot 1R, Block 8. To date a structural site plan has not been submitted for review and approval showing the location of the existing structure. Staff recommends that prior to Preliminary Plat approval by the City Council, a structural site plan showing the existing development on proposed Lot 1R, Block 8 in compliance with all adopted standards be submitted for review and approval.

Easement: The Preliminary Plat identifies the relocation of the southeast lot line of Lot 1. An 8 foot wide minor drainage and utility easement currently exists along the lot line. However, the plat document does not show the existing easement. As such, staff recommends that prior to Preliminary Plat approval by the City Council, the plat document be revised to either show the existing 8 foot wide minor drainage and utility easement located along the existing southeast lot line on Lot 1 or the plat document must be revised to show the vacation of the existing minor drainage and utility easement. In addition, written documentation from all of the affected utility companies must be submitted for review and approval indicating concurrence with the vacation.

Wesson Road: Wesson Road is classified as a sub-collector street requiring that the street be located in a minimum 52 foot wide right-of-way and constructed with a 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The submitted plans identify Wesson Road as being constructed in a 49 foot right-of-way with 24 feet of pavement, curb, gutter, sidewalks, street light conduit, sewer and water. On March 7, 2005

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the City Council granted a Special Exception to the Street Design Criteria Manual as a part of Preliminary Plat No. 04PL148 to reduce the right-of-way width from 52 feet to 49 feet and pavement width from 27 feet to 24 feet for Wesson Road.

The Preliminary Plat identifies the construction of the western 300 feet of Wesson Road as it extends from Springfield Road. The applicant's Master Plan identifies that the eastern portion of the street will be constructed as a part of Phase 4C of the development. Upon completion, Wesson Road will provide a street connection from Springfield Road to Knuckleduster Road. As a part of this plat, the applicant is proposing to extend a sewer main along the eastern portion of Wesson Road and to construct a 20 foot wide graveled road to serve as access to the sewer main. However, until the eastern portion of the street is constructed, a turnaround must be provided at the terminus of the western portion of the street as per Section 5.2.3 of the Street Design Criteria Manual. Without the turnaround and signage noting no through traffic, staff has serious concerns that the proposed gravel road will function as a street for through traffic. From a neighborhood perspective, it is preferable that all of Wesson Road be dedicated as right-of-way at this time and constructed to City Street Design Standards, which will also prevent tracking from the unpaved street onto the adjacent paved street(s).

Staff recommends that prior to Preliminary Plat approval by the City Council, a turnaround be provided at the terminus of Wesson Road in compliance with Section 5.2.3 of the Street Design Criteria Manual. In particular, the turnaround must be located within a minimum 110 foot diameter right-of-way and constructed with a minimum 96 foot diameter paved surface or an Exception must be obtained.

Rapid Valley Sanitary District: The Rapid Valley Sanitary District has reviewed the submitted plans and has indicated that there are no concerns with the proposed water and sewer plans.

Fire Protection: The Fire Department has indicated that a minimum of 1,000 gallons per minute fire flow at 20 psi residual pressure must be provided for residential structures of up to 3,600 square feet in area. Fire flows of up to 1,750 gallons per minute at 20 psi residual pressure must be provided for residential structures 3,601 to 4,800 square feet in area as per IFC Table B105.1. Residential structures larger than 4,800 square feet must meet fire flow requirements as stated in Table B105.1 of the International Fire Code. If the fire flow requirements cannot be provided, then residences must be protected throughout with an approved residential fire sprinkler system.

As such, staff recommends that prior to City Council approval, water system plans prepared by a Registered Professional Engineer verifying the source and demonstrating sufficient quantities for fire flows must be submitted for review and approval.

Air Quality Permit: An air quality construction permit must be obtained prior to any surface disturbance of one acre or more.

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. As such, staff recommends that prior to Preliminary Plat approval by the

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City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

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 must 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 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 any 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.

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