

STAFF REPORT  
February 9, 2012

**No. 12PL001 - Layout Plat**

**ITEM 8**

GENERAL INFORMATION:

APPLICANT	Larry D. Wiechmann
AGENT	Britton Engineering and Land Surveying, Inc.
PROPERTY OWNER	Larry D. and Wanda Wiechmann
REQUEST	<b>No. 12PL001 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	Lots A and B of Lot 1 of U. V. Johnson Subdivision located in the NW1/4 of the NW1/4 of Section 32, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots AR and BR of Lot 1 of U. V. Johnson Subdivision
PARCEL ACREAGE	Approximately 4.196 acres
LOCATION	Along the north side of Sheridan Lake Road approximately 550 feet east of the intersection of Sheridan Lake Road and Clarkson Road
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Low Density Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Whispering Pines Water Association/Private On-site Wastewater
DATE OF APPLICATION	1/4/2012
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, road construction plans for Sheridan Lake Road shall be submitted for review and approval. In particular the plans shall show the street constructed with a minimum 36 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 Sheridan Lake Road as it abuts the property or a

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- Variance to the Subdivision Regulations shall be obtained;
2. Upon submittal of the Preliminary Plat application, the plat document shall be revised to show access to proposed Lot AR. If access is being provided across proposed Lot BR, then the plat document shall be revised to secure the access within a minimum 45 foot wide access easement. In addition, construction plans shall be submitted for review and approval showing the access easement constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  3. Upon submittal of the Preliminary Plat application, road construction plans for the section line highway(s) shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway(s) shall be vacated. The adjacent property owner shall participate in the platting or vacation of the section line highway(s) or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way. In particular, the road shall be located in 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 or a Variance to the Subdivision Regulations shall be obtained;
  4. 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 the applicant obtains water service from Whispering Pines Water Association as proposed, then written approval from the Whispering Pines Water Association to allow the proposed water connection and that adequate water capacity exists to provide domestic and fire flows shall be submitted for review and approval. In addition, the plat document shall be revised to show utility easements as needed;
  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. If individual on-site wastewater systems are proposed, 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. In addition, the applicant's site plan shall be revised to show the location of the existing and/or proposed on-site wastewater system(s);
  6. Upon submittal of a Preliminary Plat application, a drainage plan and a grading plan shall be submitted for review and approval if subdivision improvements are required or site grading is proposed;
  7. 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 if subdivision improvements are required;
  8. Prior to submittal of a Final Plat application, the existing structures located within the 33 foot wide section line highway shall be removed or the section line highway shall be vacated. In addition, a Variance from the Pennington County Zoning Board of Adjustment shall be obtained to allow structural encroachments into the 58 foot setback from a section line or surety shall be posted to ensure their removal;
  9. Upon submittal of a 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, the plat document shall be revised to show a reserve drainfield area or a note shall be placed on the plat indicating that at the time a

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- Building Permit application is submitted, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided;
11. 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;
  12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
  13. 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 reconfigure two lots. The lots will be known as Lots AR and BR of Lot 1 of U.V. Johnson Subdivision and will be sized 1.973 acres and 2.223 acres, respectively.

The property is located along the north side of Sheridan Lake Road approximately 550 feet east of the intersection of Sheridan Lake Road and Clarkson Road. Currently, a residence with a detached garage, a barn and three sheds are located on proposed Lot BR. Proposed Lot AR is currently 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:** The property is located within Pennington County, outside of the City limits of Rapid City but within the City's three mile platting jurisdiction. The property is currently zoned Suburban Residential District by Pennington County. The proposed lot sizes of 1.973 acres and 2.223 acres meet the minimum lot size requirement of the Suburban Residential District.

**Water:** The applicant has indicated that the Whispering Pines Water Association currently provides water service to the property. The applicant's site plan shows a water line extending across proposed Lot AR to serve the residence located on proposed lot BR. Chapter 16.16.040 of the Rapid City Municipal Code states that the design and specifications of the water distribution system shall meet Rapid City requirements. As such, upon submittal of a Preliminary Plat application, water plans prepared by a Registered

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Professional Engineer showing the extension of water mains must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. If the applicant obtains water service from Whispering Pines Water Association as proposed, then written approval from the Whispering Pines Water Association to allow the proposed water connection and that adequate water capacity exists to provide domestic and fire flows must be submitted for review and approval. In addition, the plat document must be revised to show utility easements as needed.

Sewer: 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 jurisdictions in accordance with City specifications". The property is located more than 400 feet from an existing central sewer system. As such, the applicant has indicated that the proposed lots will be served by individual on-site wastewater systems.

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. If an individual on-site wastewater system is utilized, 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.

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.

Sheridan Lake Road: Sheridan Lake Road is located along the south 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 36 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Sheridan Lake Road is located in a 66 foot wide right-of-way with an approximate 26 foot wide paved surface.

Upon submittal of a Preliminary Plat application, road construction plans for Sheridan Lake Road must be submitted for review and approval showing the street 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. In addition, the plat document must be revised to show the dedication of 17 feet of additional right-of-way or a Variance to the Subdivision Regulations must be obtained.

Access to Proposed Lot AR: The Layout Plat does not identify access to proposed Lot AR. It appears that a driveway currently extends across existing Lot B to serve as access to Lot A. Upon submittal of the Preliminary Plat application, the plat document must be revised to show access to proposed Lot AR. If access is being provided across proposed Lot BR, then the plat document must be revised to secure the access within a minimum 45 foot wide access easement. In addition, construction plans must be submitted for review and approval showing the access easement constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the

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Subdivision Regulations must be obtained.

Section Line Highway: An unimproved section line highway is located along the east lot line of the property and along the north lot line of the property. The section line highway(s) are classified as a lane place street requiring that they 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 or a Variance to the Subdivision Regulations must be obtained. The applicant also has the option of vacating the section line highways; however, the east and north half of the section line highway(s) are located on adjacent properties under different ownership than the property being platted. As such, the adjacent property owners must participate in the vacation or the platting of the section line right-of-way or a Variance to the Subdivision Regulations to allow platting half a right-of-way must be obtained. Staff is recommending that the section line highway issue be addressed as identified prior to submittal of a Preliminary Plat application.

Structural Encroachments: As previously noted a section line is located along the north lot line of the applicant's property. The Pennington County Zoning Ordinance requires that a minimum 58 foot setback be provided from a section line. The setback includes the 33 foot section line highway and a 25 foot setback from the section line highway for a total of 58 feet. In addition, South Dakota Codified Law requires that a section line highway be kept open for access which precludes any structural development within this 33 foot wide area. Currently, two sheds are located within the section line highway and an additional barn is located within the 25 foot setback from the section line highway. As such, prior to submittal of a Final Plat application, the existing structures located within the 33 foot wide section line highway must be removed or the section line highway must be vacated. In addition, a Variance from the Pennington County Zoning Board of Adjustment must be obtained to allow structural encroachments into the 58 foot setback from a section line or surety must be posted to ensure their removal.

Drainage/Grading: As part of the Preliminary Plat application, a grading plan for all improved areas and a drainage plan must be submitted for review and approval if subdivision improvements are required. In particular, the drainage plan 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.

Staff recommends that upon submittal of the Preliminary Plat application, a drainage and grading plan be submitted for review and approval if subdivision improvements are required. In addition, the plat document must 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. As such, staff recommends that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be

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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 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.

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