

STAFF REPORT
October 6, 2011

No. 11PL050 - Layout Plat

ITEM 13

GENERAL INFORMATION:

APPLICANT	Larry Patterson
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Larry Patterson
REQUEST	No. 11PL050 - Layout Plat
EXISTING LEGAL DESCRIPTION	Tract 2 of Tract A of the SW1/4 less well lot and right-of-way located in Section 7, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Strato Rim Estates II
PARCEL ACREAGE	Approximately 9.07 acres
LOCATION	23648 Strato Rim Drive
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Low Density Residential District (Pennington County)
East:	Limited Agriculture Residential District (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Strato Rim Estates Water Company and private on-site wastewater
DATE OF APPLICATION	9/9/2012
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Upon submittal of the Preliminary Plat application, the applicant shall demonstrate that the driveways extending north from the existing 30 foot wide Waterline and Access Easement located on the adjacent property are located entirely within the Waterline and Access Easement or the easement shall be expanded to secure legal access to the property;
2. Upon submittal of the Preliminary Plat application, road construction plans for the 30 foot

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- wide Waterline and Access Easement shall be submitted for review and approval. In particular, the road construction plans shall show the street located within a minimum 49 foot wide easement and 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 shall be obtained;
3. Upon submittal of the Preliminary Plat application, road construction plans for the 40 foot wide to 70 foot wide "Access Easement To adjoining Tract 1 of Tract A" shall be submitted for review and approval. In particular, the road construction plans shall show the street located within a minimum 49 foot wide easement and 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 shall be obtained;
 4. Upon submittal of the Preliminary Plat application, road construction plans for the unnamed 66 foot wide right-of-way shall be submitted for review and approval. In particular, the road construction plans shall show the street 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 or the right-of-way shall be vacated;
 5. Upon submittal of the Preliminary Plat application, the plat document shall be revised to show the 30 foot wide Waterline and Access Easement as a named street. In addition, the street name shall be reviewed and approved by the Emergency Services Communication Center;
 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. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided;
 7. 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;
 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 if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
 9. Upon submittal of a Preliminary Plat application, a grading plan and a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval if subdivision improvements are required. In particular, the drainage plan shall include calculations demonstrating that discharge from any improvements will not exceed pre-development flow rates or local detention facilities shall be provided. In addition, the plat document shall also be revised to provide drainage easements as necessary;
 10. Upon submittal of a Preliminary Plat application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if any subdivision improvements are required;
 11. Upon submittal of a Preliminary Plat application, a note shall be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area for on-site wastewater treatment will be identified and held in reserve unless a public sewer system is provided;
 12. Upon submittal of a Preliminary Plat application, the Wild Fire Mitigation Plan shall be

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- approved by the Fire Department. In addition, prior to submittal of a Final Plat application, the Wild Fire Mitigation Plan shall be implemented;
13. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 14. Upon submittal of a Preliminary Plat application, the applicant shall submit written documentation identifying maintenance responsibility of the 30 foot wide Waterline and Access Easement;
 15. Prior to Preliminary Plat approval by the City Council, the property shall be rezoned from Limited Agriculture District to Low Density Residential District or a Variance shall be obtained from the Pennington County Zoning Board of Adjustment to reduce the minimum lot size requirement in the Limited Agriculture District;
 16. Prior to Preliminary Plat approval by the City Council, a Conditional Use Permit shall be obtained from Pennington County to allow a secondary structure on proposed Lot 2 without a primary structure or the plat document shall be revised to address the issue;
 17. 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;
 18. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 19. 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 subdivide a 9.07 acre tract into two lots sized 3.01 acres and 6.07 acres, respectively. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #11SV017) to waive the requirement to reduce the access easement width(s) from 49 feet to 30 feet and 40 feet, respectively, to allow a 12 foot wide gravel surface in lieu of a 24 foot wide paved surface and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer for the existing and proposed access easements and to waive the requirement to improve the unnamed 66 foot wide right-of-way with curb, gutter, sidewalk, street light conduit, water, sewer and pavement.

The property is located approximately 2,000 feet north of the intersection of S.D. Highway 16 and Strato Rim Drive on the north side of Strato Rim Drive. Currently, a single family residence, a shed and a shop are located on 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

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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, the property is currently zoned Limited Agriculture District by Pennington County. A minimum lot size of ten acres is required in the Limited Agriculture District. Platting the property as proposed will result in a 3.01 acre lot and a 6.07 acre lot. As such, the applicant has submitted a Rezoning request to Pennington County to rezone the property from Limited Agriculture District to Low Density Residential District which requires a minimum three acre lot size. Prior to Preliminary Plat approval by the City Council, the property must be rezoned from Limited Agriculture District to Low Density Residential District or a Variance must be obtained from the Pennington County Zoning Board of Adjustment to reduce the minimum lot size requirement in the Limited Agriculture District.

Use: Currently, a residence, a shop and a shed are located on the property. As a result of the plat, the residence and shed will be located on proposed Lot 1 and the shop will be located on proposed Lot 2. The Pennington County Zoning Ordinance requires that a principal structure be located on a property prior to the placement of a secondary structure. The applicant has, subsequently, submitted a Conditional Use Permit to Pennington County to allow the shed, a secondary structure, on proposed Lot 2 prior to placement of a primary structure. Prior to Preliminary Plat approval by the City, the Conditional Use Permit must be approved by Pennington County or the plat document must be revised to address the issue.

Water: Strato Rim Estates Water Company currently provides water service to the property. The applicant has submitted written documentation from the Strato Rim Estates Water Company indicating that water service will be provided to the proposed additional lot. 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 must be obtained.

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 applicant has indicated that private on-site wastewater systems will serve the property. In addition, the applicant has submitted percolation information and soils data for the property. Please note that a majority of the property is located over the Madison Aquifer Recharge Zone. As such, future on-site wastewater treatment may require an Advanced Treatment System or a non-discharging system.

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 Pennington County Planning Department has also indicated that upon submittal of a

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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.

30 foot wide Waterline and Access Easement: A 30 foot wide Waterline and Access Easement is located along the south lot line on an adjacent property and provides access to the applicant's property. It is unclear if the driveways extending north from the Waterline and Access Easement are entirely located within the easement. As such, upon submittal of the Preliminary Plat application, the applicant must demonstrate that the driveways are located entirely within the Waterline and Access Easement or the easement must be expanded to secure legal access to the property.

The Waterline and Access Easement is classified as lane place street requiring that it be located within a minimum 49 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. The easement is currently 30 feet in width and constructed with a 12 foot side graveled surface. Upon submittal of a Preliminary Plat application, road construction plans for the 30 foot wide Waterline and Access Easement must be submitted for review and approval showing the street located within a minimum 49 foot wide easement and constructed as identified or a Variance to the Subdivision Regulations must be obtained.

As a result of platting the property, the Waterline and Access Easement will serve four properties. As such, the Emergency Services Communication Center has indicated that the street within the easement must be named. Staff recommends that upon submittal of the Preliminary Plat application, the plat document be revised to show the 30 foot wide Waterline and Access Easement as a named street. In addition, the street name must be reviewed and approved by the Emergency Services Communication Center. The Emergency Services Communication Center has also indicated that new addresses will be assigned to the current structures reflecting the approved street name upon approval of a Final Plat.

Access Easement To adjoining Tract 1 of Tract A: The plat document identifies an "Access Easement To adjoining Tract 1 of Tract A" along the southern portion of proposed Lot 2. The easement ranges in width from 40 feet to 70 feet and is currently constructed with an approximate 12 foot wide graveled surface. The easement is classified as a lane place street requirement that the easement width be a minimum of 49 feet 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 the Preliminary Plat application, road construction plans for the "Access Easement To adjoining Tract 1 of Tract A" be submitted for review and approval. In particular, the road construction plans must show the street located within a minimum 49 foot wide easement and 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.

Unnamed 66 foot wide Right-of-way: A 66 wide unnamed right-of-way is located along the northwest corner of the property and is classified as a lane place street requiring that it be

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located within 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. It appears that the right-of-way was originally secured to provide access to a well lot located north of the right-of-way. Currently, the right-of-way is unimproved. In addition, an alternate access has been secured within an easement and provides access to the well lot. Staff recommends that upon submittal of a Preliminary Plat application, road construction plans for the right-of-way be submitted for review and approval. In particular, the road construction plans must the street 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 or the right-of-way must be vacated.

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 obtained prior to any construction.

Wild Fire Mitigation Plan: The property is located within a high Wild Fire area. As such, the applicant has submitted a Wild Fire Mitigation Plan which is currently being reviewed by the Fire Department. Prior to submittal of a Preliminary Plat application, the Wild Fire Mitigation Plan must be approved by the Fire Department. In addition, prior to submittal of a Final Plat application, the Wild Fire Mitigation Plan must be implemented.

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.

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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.