

STAFF REPORT

July 3, 2002

No. 02PL062 - Layout Plat

ITEM 9

GENERAL INFORMATION:

PETITIONER	D.C. Scott Co. Land Surveyors for Thomas Estes
REQUEST	No. 02PL062 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 2, Lot 3, and that portion of the SW1/4 SW14/ lying north of the county road, and the unplatted portion of Estes Subdivision, Section 15, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 2 Revised, Lot 3 Revised, Lot 6, Lot 7 and Lot 8 of Estes Subdivision, and dedicated Neck Yoke Road right-of-way located in the W1/2 SW1/4 of Section 15, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 22.37 acres
LOCATION	Approximately 2.3 miles south of Reptile Gardens on Neck Yoke Road
EXISTING ZONING	Limited Agriculture District/General Agriculture District (County)
SURROUNDING ZONING	
North:	Low Density Residential District (County)
South:	General Agriculture District (County)
East:	Low Density Residential District (County)
West:	Limited Agriculture District/General Agriculture District (County)
PUBLIC UTILITIES	On-site water and wastewater
DATE OF APPLICATION	06/07/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Upon Preliminary Plat submittal, a water plan shall be submitted for review and approval. In particular, the use of on-site well(s) and/or a community water source shall be identified and submitted for review and approval. In addition, the on-site well(s) and/or community

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- water source shall be reviewed and approved by the South Dakota Department of Environment and Natural Resources;
2. Upon Preliminary Plat submittal, percolation test(s) and soil profile information representative of the site shall be submitted for review and approval;
 3. Upon Preliminary Plat submittal, the plat shall be revised to show an eight foot wide utility easement along all lot lines;
 4. Upon submittal of a Preliminary Plat, topographic information shall be submitted for review and approval;
 5. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, a complete street design plan shall be submitted for that portion of Aero Road located within the City's three mile platting jurisdiction. The design plans shall show the location of utilities, storm drainage, curb and gutter, street light conduit and dry sewer and water or a Variance to the Subdivision Regulations shall be obtained;
 6. Upon submittal of the Preliminary Plat, Aero Road shall be redesigned to meet the minimum design standards for a cul-de-sac roadway which shall not exceed 1,200 feet in length with a turnaround at the closed end and an intermediate turnaround(s) at intervals not to exceed 600 feet or a Special Exception to the Street Design Criteria Manual shall be obtained;
 7. Upon submittal of the Preliminary Plat, the plat shall be revised to show Aero Road as "dedicated right-of-way" in lieu of a "roadway easement";
 8. Upon submittal of the Preliminary Plat, that portion of the Section Line Highway located within the City's three mile platting jurisdiction shall be built to City street design standards or a Variance to the Subdivision Regulations shall be obtained waiving the requirement to improve the Section Line Highway or the Section Line Highway shall be vacated;

Pennington County Planning Department Recommendation:

9. Prior to Final Plat approval by the City Council, that portion of the property located within the City's three mile platting jurisdiction shall be rezoned from Limited Agriculture District to Low Density Residential District or a Variance to the minimum lot size requirement shall be obtained;

Urban Planning Division Recommendations:

10. Prior to Final Plat approval by the City Council, a subdivision estimate form for that portion of the improvements located within the City's three mile platting jurisdiction shall be submitted for review and approval; and
11. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements located within the City's three mile platting jurisdiction that have not been completed shall be posted and the subdivision inspection fee shall be paid.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat proposing to create a five lot residential development from two previously platted lots and two unplatted parcels. Currently, a stick built residence is located on proposed Lot 2R and a stick built residence, a mobile home and a barn are located on proposed Lot 3R. The property is located approximately 2.3 miles

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south of Reptile Gardens on the north side of Neck Yoke Road.

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 that is provided. All specific details of the subdivision may not be addressed 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 City Code or the Street Design Criteria Manual will require a formal variance request or a special exception, whichever is applicable.

STAFF REVIEW:

The property is located in Pennington County, outside of the incorporated City Limits of Rapid City. Proposed Lot 6 and the northern half of proposed Lot 2R are located within the City's three mile platting jurisdiction. The balance of the property is located within Pennington County's platting jurisdiction. Staff has reviewed the Layout Plat for that portion of the subject property located within the City's platting jurisdiction and has noted the following considerations:

Zoning: The Pennington County Planning Department has indicated that that portion of the property located within the City's platting jurisdiction is currently zoned Limited Agriculture District. The two lots, proposed Lot 2R and Lot 6, are 3.467 acres and 9.853 acres in size, respectively. The Pennington County Planning Department has indicated that the property must be rezoned to Low Density Residential District or a lot size Variance must be obtained prior to Final Plat approval.

The Pennington County Planning Department has also indicated that the balance of the subject property is currently zoned Limited Agriculture District and General Agriculture District. Two of the proposed lots have less lot size than the minimum three acre lot size requirement of the Low Density Residential District. This portion of the subject property must be rezoned to Suburban Residential District or a lot size Variance must be obtained. The Pennington County Planning Department has indicated that the surrounding zoning and land use(s) do not support rezoning the property to Suburban Residential District and has recommended that the applicant reconfigure the proposed lots to meet the minimum three acre lot size of the Low Density Residential District or that a lot size variance be obtained as indicated. Even though the City can not regulate that portion of the property located outside of the City's platting jurisdiction, staff supports that the applicant address the zoning and lot configuration issues with the County prior to submittal of a Preliminary Plat.

Utilities: The Engineering Division has indicated that a water plan must be submitted for review and approval. In particular, the use of on-site well(s) and/or a community water source must be identified and submitted for review and approval. In addition, the on-site well(s) and/or community water source must be reviewed and approved by the South Dakota Department

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of Environment and Natural Resources.

The Engineering Division has also indicated that percolation test(s) and soil profile information representative of the site must be submitted for review and approval in order to demonstrate that on-site wastewater system(s) may be allowed. The Pennington County Environmental Planner has indicated that on-site wastewater systems currently exist on three of the proposed lots. In addition, the Pennington County Environmental Planner has indicated that percolation information from proposed Lot 8 should be sufficient to serve as representative of the property. Staff is recommending that the additional percolation information and soil profile information be submitted upon Preliminary Plat submittal.

Aero Road: Aero Road extends north off of Neck Yoke Road and serves as legal access to the subject property. The road is currently a 30 foot wide roadway easement with a graveled surface ranging in width from 12 feet to 16.5 feet. The Street Design Criteria Manual requires that the road be constructed as a minimum 45 foot wide right-of-way with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, storm sewer, dry sewer and water. Upon Preliminary Plat submittal, the applicant must submit construction plans showing the improvement of Aero Road as identified or a Variance to the Subdivision Regulations must be obtained. The Pennington County Highway Department has indicated that the portion of Aero Road located within the Pennington County platting jurisdiction must be constructed as a minimum 50 foot wide right-of-way with a minimum 24 foot wide graveled surface. In the past, where a plat is located within the platting jurisdictions of both the City and the County, the Planning Commission and the City Council have supported a Variance to the Subdivision Regulations to allow construction of the road to County standards in order to maintain road design consistency between the two jurisdictions. In addition, requiring the paving of Aero Road within the City's platting jurisdiction would result in a discontinuous paved section of roadway located at the northern end of Aero Road.

The Street Design Criteria Manual states that an easement may only serve as access to four tracts, parcels or lots of any size. Aero Road will serve as access to ten lots and/or parcels of land requiring that the roadway be dedicated as right-of-way. Upon submittal of the Preliminary Plat, the plat must be revised accordingly or a Special Exception to the Street Design Criteria Manual must be obtained.

The Street Design Criteria Manual also states that a "cul-de-sac shall not exceed 1,200 feet in length and that a turnaround at the closed end and intermediate turnaround(s) at intervals not to exceed 600 feet must be provided". Aero Road is an existing cul-de-sac roadway and measures approximately 3,200 feet in length. The Pennington County Highway Department has indicated that the County's design standards also require that intermediate turnaround(s) be provided along Aero Road. Upon submittal of the Preliminary Plat, Aero Drive must be revised to comply as outlined or a Special Exception to the Street Design Criteria Manual must be obtained.

The Fire Department has indicated that an emergency fire apparatus turnaround must be provided on any lot(s) located within the City's platting jurisdiction that exceed 150 feet in

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length in order to insure adequate fire protection access.

Even though that portion of Aero Road located adjacent to Neck Yoke Road is located outside of the City's platting jurisdiction, staff concurs with the Pennington County Highway Department that a non-access easement should be shown along Neck Yoke Road. Staff encourages the applicant to also consider modifying the two approaches from the subject property onto Neck Yoke Road into one approach, thereby minimizing any negative impact the increase in traffic will have on Neck Yoke Road. In particular, the existing 66 foot wide vehicular access roadway that extends west from Neck Yoke Road to the west lot line could be shifted north intersecting with Aero Road. This would result in the Aero Road approach serving as the sole access point to the subject property from Neck Yoke Road.

Section Line Highway: A section line highway is located along the west lot line of the subject property. The section line highway currently is used as access to a residence located north and west of the subject property. In addition, proposed Lot 3R also uses a portion of the section line highway as an access road to a mobile home located in the western portion of the lot. Upon submittal of the Preliminary Plat, that portion of the section line highway located within the City's three mile platting jurisdiction must be built to City street design standards or a Variance to the Subdivision Regulations must be obtained. The applicant also has the option of vacating the section line highway. However, the western half of the section line highway is located on property that is not owned by the applicant requiring that the adjacent property owner also sign the vacation document.

Staff believes that the proposed plat generally complies with all applicable zoning and subdivision regulations assuming compliance with the stated stipulations.