

STAFF REPORT

December 5, 2002

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**No. 02PL117 - Preliminary and Final Plat**

**ITEM 11**

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GENERAL INFORMATION:

PETITIONER	D.C. Scott Co. for Thomas Estes
REQUEST	<b>No. 02PL117 - Preliminary and Final Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 2 and Lot 4 Revised of Estes Subdivision and the unplatted land; located in the W1/2 SW1/4 NW1/4 and W1/2 NW1/4 SW1/4 of Section 15, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 2R and 4R2 of Estes Subdivision, located in the W1/2 SW1/4 NW1/4 and W1/2 NW1/4 SW1/4 of Section 16, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximate 25.576 acres
LOCATION	2.3 miles south of Reptile Gardens on Neck Yoke Road
EXISTING ZONING	Low Density Residential District (County)
SURROUNDING ZONING	
North:	Low Density Residential District (County)
South:	General Agriculture District (County)
East:	Low Density Residential District
West:	Limited Agriculture District/General Agriculture District (County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	11/04/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendation:

1. Prior to Final Plat approval by the City Council, the plat document shall be revised to show a drainfield easement on each lot;
2. Prior to Preliminary Plat approval by the City Council, that portion of Aero Road located within the City's three mile platting jurisdiction shall be constructed to City street design standards or a Variance to the Subdivision Regulations shall be obtained;

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3. Prior to Preliminary Plat by the City Council, 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;
4. Prior to Preliminary Plat approval by the City Council, water and sewer plan(s) shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;

#### Fire Department Recommendations:

5. A Special Exception is hereby granted to allow a 3,200 foot long cul-de-sac without intermediate turnarounds at intervals of 600 feet contingent upon the plat document being revised to show a fire apparatus turnaround on each lot prior to Final Plat approval by the City Council;
6. Prior to Final Plat approval by the City Council, a Wild Land Fire Mitigation Plan shall be submitted for review and approval. In addition, the Fire Department shall establish an implementation schedule to insure completion of the Wild Land Fire Mitigation Plan;

#### Register of Deed's Office Recommendation:

7. Prior to Final Plat approval by the City Council, the plat title shall be revised to read "Lot 4 Revised of Estes Subdivision and a portion of the balance of Estes Subdivision". In addition, the plat document shall be revised removing "and unplatted land" from the plat title;

#### Urban Planning Division Recommendations:

8. A Special Exception is hereby granted to allow an easement to serve more than four lots;
9. 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,
10. 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 fees shall be paid.

#### GENERAL COMMENTS:

The applicant has submitted a Preliminary and Final Plat proposing to subdivide two lots and an unplatted balance into two lots with an unplatted balance. The applicant has also submitted an associated Subdivision Regulations Variance request to waive the requirement to construct curb, gutter, sidewalk, street light conduit, sewer, water and pavement along Aero Road and a section line highway. (See companion item #02SV046.)

On June 7, 2002, the applicant submitted Layout Plat #02PL062 to create a five lot residential development from two previously platted lots and two unplatted parcels. The subject property was a part of that plat. On July 17, 2002, the City Council acknowledged the applicant's request to withdraw the Layout Plat. On November 4, 2002, the City Council approved Layout Plat #02PL094 to subdivide the subject property into two lots and leave an

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unplatted balance as shown on this plat.

The property is located approximately 2.3 miles south of Reptile Gardens on the north side of Neck Yoke Road. A single family residence is located on each of the two proposed lots. The unplatted balance is currently void of any structural development.

**STAFF REVIEW:**

The property is located in Pennington County, outside of the incorporated City Limits of Rapid City. Proposed Lot 4R2 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 jurisdiction. The Pennington County Planning Department has indicated that a Preliminary and Final Plat for that portion of the property located within their platting jurisdiction has been submitted and will be heard by the Pennington County Planning Commission on November 25, 2002. Staff has reviewed the Preliminary and Final Plat for that portion of the subject property located within the City's platting jurisdiction and has noted the following considerations:

**Utilities:** The Engineering Division has indicated that water and sewer plan(s) must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. Currently, the properties are served by individual on-site water and wastewater systems. As such, the Engineering Division has indicated that the plat must be revised to show a drainfield easement for each of the existing drainfields. Staff is recommending that the plat document be revised accordingly prior to Final Plat approval by the City Council.

**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 seven lots and/or parcels of land requiring that the roadway be dedicated as right-of-way. As such, the applicant has requested that a Special Exception be granted to allow Aero Road to serve as

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access to the seven lots. Since the proposed plat does not result in any increase in the number of lots currently accessing via the easement, staff recommends that a Special Exception be granted. However, any additional platting resulting in an increase in the number of lots accessing from Aero Road will require that the road be dedicated as public right-of-way.

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. As such, the applicant has requested that a Special Exception be granted to allow a cul-de-sac in excess of 1,200 feet and to eliminate the requirement to provide intermediate turnarounds every 600 feet. The Fire Department has recommended that the Special Exception be granted with the stipulation that a fire apparatus turnaround be provided on each of the two lots. (The plat document must be revised to show the fire apparatus turnarounds.) In addition the Fire Department has indicated a Wild Land Fire Mitigation Plan must be submitted for review and approval prior to Final Plat approval by the City Council. In addition, the Fire Department will establish an implementation schedule to insure completion of the Wild Land Fire Mitigation Plan.

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. 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. (Please note, the associated Subdivision Regulations Variance request includes waiving the requirement to improve the section line highway.)

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