

STAFF REPORT

January 23, 2003

No. 02PL095 - Preliminary and Final Plat

ITEM 5

GENERAL INFORMATION:

PETITIONER	Doug Sperlich for 16 Plus, LLC
REQUEST	No. 02PL095 - Preliminary and Final Plat
EXISTING LEGAL DESCRIPTION	A portion of Tract 1 and Tract 2 of Pioneer Subdivision, located in the E1/2 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 2 thru 4, Moon Ridge Subdivision, located in the E1/2 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 59.52 acres
LOCATION	Northwest of U.S. Highway 16 and Moon Meadows Road
EXISTING ZONING	Medium Density Residential /General Commercial with Planned Development Designation
SURROUNDING ZONING	
North:	(County)
South:	(County)
East:	General Commercial w/Planned Development Designation
West:	Suburban Residential District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/13/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendations:

- 1. Prior to Preliminary Plat approval by the City Council, revisions to the water and sewer plans shall be submitted for review and approval. In particular, access to the manholes shall be provided;**
- 2. Prior to Preliminary Plat approval by the City Council, road construction plans for the collector road located in the northwest corner of the subject property shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;**

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3. Prior to Preliminary Plat approval by the City Council, road construction plans for U.S. Highway 16 shall be submitted for review and approval. In particular, curb, gutter, sidewalk and street light conduit shall be constructed along U.S. Highway 16 or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to Preliminary Plat approval by the City Council, road construction plans for Moon Meadow Drive shall be submitted for review and approval. In particular, sidewalk and street light conduit shall be constructed along Moon Meadow Drive or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Final Plat approval by the City Council, the plat document shall be revised to show a non-access easement along U.S. Highway 16. In addition, a non-access easement shall be shown along Moon Meadow Drive except for approved approach location(s);

Fire Department Recommendation:

6. All Uniform Fire Codes shall be continually met;

Emergency Services Communication Center Recommendation:

7. Prior to Final Plat approval by the City Council, the plat document shall be revised to show "Moon Meadow Road" as "Moon Meadow Drive";

Urban Planning Division Recommendations:

8. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
9. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

GENERAL COMMENTS:

This item has been continued several times since the October 10, 2002 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of January 14, 2003. All revised or added text is shown in bold print. The applicant has submitted a Preliminary and Final Plat to subdivide the subject property into three lots to be known as Lots 2 thru 4 of the Moon Ridge Subdivision. **On October 22, 2002, the applicant submitted a revised plat document proposing to plat Lot 3 only. (Lots 2 and 4 have been eliminated from the plat document.)** The property is located directly north and south of Moon Meadows Drive and directly west of U. S. Highway 16 and is currently void of any structural development.

On September 16, 2002, the City Council approved a Layout Plat to subdivide the subject property into three lots as shown on this plat. On September 3, 2002, the City Council approved a Layout, Preliminary and Final Plat to create a 2.755 acre parcel located southwest of the subject property as Lot 1 of the Moon Ridge Subdivision.

STAFF REVIEW:

Staff has reviewed the Preliminary and Final Plat request and has noted the following considerations:

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Section Line Highway:

During the review of the associated Layout Plat, staff identified that a section line highway is located along the north lot line of the property. Prior to Preliminary Plat approval, the section line highway must be improved to City Street standards or a Variance to the Subdivision Regulations must be obtained to waive the street improvements or the section line highway must be vacated. The northern half of the section line highway is located on an adjacent property under different ownership from the subject property. The Subdivision Regulations states that "...where there exists a dedicated or platted half-street adjacent to the tract to be subdivide, the other half shall be platted. No new half-streets shall be permitted". Vacating only that portion of the section line highway located on the subject property will create a half-street. As such, the entire section line highway must be vacated or a Variance to the Subdivision Regulations must be obtained. If the applicant seeks to vacate a portion of the section light right-of-way, the adjacent property owner will need to concur in the request. Prior to Planning Commission approval of the Preliminary Plat, the section line highway issue must be addressed as identified or construction plans for the street must be submitted for review and approval. **The referenced section line highway is located along the north lot line of proposed Lot 2. As previously indicated, Lots 2 and 4 have been eliminated from the plat document. As such, the revised plat does not require any section line highway improvements.**

Major Street Plan: The Major Street Plan identifies a collector road to be constructed through the northwest corner of the subject property. The collector road will serve to connect Catron Boulevard with Moon Meadows Drive. Prior to Preliminary Plat approval by the Planning Commission, construction plans for the collector road must be submitted for review and approval or the Major Street Plan must be amended to eliminate and/or relocate the collector road. On October 22, 2002, the applicant submitted a Comprehensive Plan Amendment to revise the Major Street Plan to relocate a portion of the collector road as the road extends north from Moon Meadows Drive. A portion of the collector road as currently shown on the Major Street Plan is located on Lots 2 and 3 of the proposed development. Revising the Major Street Plan as proposed will remove the collector road from the subject property with the exception of approximately 220 feet of road section in the northwest corner of proposed Lot 2. In addition, approximately 300 feet of road section will be located directly adjacent to the west lot line of proposed Lots 2 and 3. Prior to Preliminary Plat approval by the Planning Commission, construction plans for the collector road must be submitted for review and approval or the Major Street Plan must be amended to eliminate and/or relocate the collector road as identified. The applicant is aware that relocating the collector road as proposed will require that right-of-way be granted and that the road be improved to City street design standards for that portion of the road abutting the subject property as a part of this plat for Lot 3, Moonridge Subdivision or that a Variance to the Subdivision Regulations be obtained. **On November 18, 2002, the City Council approved a Comprehensive Plan Amendment to revise the Major Street Plan to relocate the collector road as identiifed above. The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to improve that portion of the collector road that abuts the subject property to City street design standards and to waive the requirement to dedicate right-of-way for the road. (See companion item #02SV044.)**

Access: U.S. Highway 16 and Moon Meadow Drive abut the property along the east lot

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line and south lot line, respectively. Currently, U.S. Highway 16 is paved roadway. As previously indicated, the applicant is proposing to install sewer and water along both U.S. Highway 16 and Moon Meadow Drive. Prior to Final Plat approval, curb, gutter, sidewalk and street light conduit must be constructed along U.S. Highway 16 or a Variance to the Subdivision Regulations must be obtained. Moon Meadow Drive is currently paved with curb and gutter. Prior to Final Plat approval, sidewalk and street light conduit must be constructed along Moon Meadow Drive or a Variance to the Subdivision Regulations must be obtained. (Please note, the associated Variance to the Subdivision Regulations request, #02SV044, includes waiving these improvements as outlined.)

Water and Sewer:

The Engineering Division has indicated that Moon Meadows Drive is currently constructed to City street standards with the exception of extending City sewer and water within the road right-of-way. The Engineering Division has also indicated that a preliminary utility master plan exists for this area showing the extension of City sewer and water to the subject property. The Preliminary and Final Plat for Lot 1 of the Moon Ridge Subdivision was approved with the stipulation that the applicant post surety for the design and construction of City sewer and water to proposed Lot 1. Any additional platting and/or replatting of Lot 1 or other properties within the area require that utility plans be submitted showing the extension of City sewer and water to the property(s) or a Variance to the Subdivision Regulations to waive the requirement must be obtained. As such, this plat requires that complete utility plans be submitted for review and approval or a Subdivision Regulations Variance be obtained as identified. On October 22, 2002, the applicant submitted water and sewer plans as identified above. The plans have been stamped "65% complete". The Engineering Division is currently reviewing the 65% complete plans. The Engineering Division has indicated that the 95% plans must be completed prior to Preliminary Plat approval by the Planning Commission. **On January 3, 2003, the applicant submitted revised water and sewer plans for review and approval. The Engineering Division has indicated that revisions to the utility plans must be submitted for review and approval prior to Preliminary Plat approval by the City Council. In particular, access to the manholes must be provided.**

Zoning:

Currently, a portion of proposed Lot 1 and Lot 3 are zoned Medium Density Residential District with the balance of the lots zoned General Commercial District with a Planned Development Designation. Proposed Lot 4 is currently zoned General Commercial District with a Planned Commercial District and proposed Lot 2 is zoned No Use District. The applicant should be aware that development and/or redevelopment of proposed Lots 1 and 3 will be limited to those permitted uses within each zoning district as identified on the lot(s). In addition, a building permit can not be issued for proposed Lot 2 until the property is rezoned from No Use District. The Rapid City Area 2000 Future Land Use Comprehensive Plan identifies the appropriate use of Lot 2 as General Commercial for the first 50 feet adjacent to U.S. Highway 16. The balance of the lot is identified as appropriate for "Limited Agriculture, Agriculture and Forest use(s)". The applicant should also be aware that any additional commercial zoning of the subject property may require additional road networking through the subject property.

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Plat Labeling:

The Emergency Services Communication Center has indicated that the plat must be revised to read "Moon Meadows Drive" in lieu of "Moon Meadows Road" as currently shown. In addition, the plat must be revised to show the State designation for the S. D. Highway 16 right-of-way as "S. Highway 16". **Staff is recommending that the plat be revised as identified prior to Final Plat approval by the City Council.**

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