

STAFF REPORT

January 23, 2003

No. 02PL100 - Layout Plat

ITEM 6

GENERAL INFORMATION:

PETITIONER	Thomas A. Casey
REQUEST	No. 02PL100 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 5A and Lot 23 less Lot A, Laurel Heights Subdivision, Section 26, T2N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Revised Lot 5A and Revised Lot 23, Laurel Heights Subdivision, Section 26, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.755 acres
LOCATION	1249 Pine Cone Lane
EXISTING ZONING	Suburban Residential District
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Suburban Residential District
East:	Suburban Residential District
West:	Suburban Residential District
PUBLIC UTILITIES	Community well and private on-site wastewater
DATE OF APPLICATION	11/22/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Upon submittal of a Preliminary Plat, 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. In addition, the plat document shall be revised to show drainfield easement(s);
2. Upon submittal of a Preliminary Plat, 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 submitted for review and approval. In addition, the plat shall be revised to show utility easement(s) for the service lines extending from the community well located

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- on proposed Lot 5A Revised to adjacent properties. The on-site well shall be revised and approved by the South Dakota Department of Environment and Natural Resources;
3. 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, complete street design plans shall be submitted showing the location of utilities, storm drainage, curb, gutter, street light conduit, sidewalk and pavement improvements for all adjacent and interior roadways;
 4. Upon submittal of the Preliminary Plat, road construction plans for Pine Cone Lane shall be submitted for review and approval. In particular, Pine Cone Lane shall be constructed with a 49 foot wide right-of-way and a 24 foot wide paved surface with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 5. Upon submittal of the Preliminary Plat, road construction plans for Laurel Heights shall be submitted for review and approval. In particular, an additional 30 feet of right-of-way shall be dedicated for that portion of Laurel Heights Lane that abuts the subject property. In addition, the road shall be constructed as a minor arterial street with curb, gutter, sidewalk, street light conduit, water, sewer and pavement or a Variance to the Subdivision Regulations shall be obtained;
 6. Upon submittal of the Preliminary Plat, Pine Cone Lane and Laurel Heights Lane 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. Prior to Final Plat approval, the plat document shall be revised to show the access easement as public right-of-way or a Special Exception to the Street Design Criteria Manual shall be obtained to allow an easement to serve as access to more than four lots;
 8. Prior to Final Plat approval, a road maintenance agreement shall be submitted for review and approval for the three roadways. In addition, documentation shall be submitted demonstrating that the applicant has the legal right to use Pine Cone Lane, a private roadway, as access to the property;

Fire Department Recommendation:

9. Prior to Preliminary Plat approval by the City Council, the applicant shall submit a Wild Land Fire Mitigation Plan for review and approval. In addition the Wild Land Fire Mitigation Plan shall be implemented prior to Final Plat approval by the City Council;

Urban Planning Division Recommendations:

10. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
11. 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 fees shall be paid.

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GENERAL COMMENTS:

This item was continued at the December 19, 2003 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of January 14, 2003. All revised and/or added text is shown in bold print.

The applicant has submitted a Layout Plat to reconfigure two lots currently known as Lot 5A and Lot 23, Laurel Heights Subdivision. Currently, a single family residence is located on Lot 5A and two accessory structures are located on Lot 23.

The property is located in Pennington County, outside of the City limits of Rapid City but within the City's three mile platting jurisdiction. The Pennington County Planning Department has indicated that one of the accessory structures was recently located on Lot 23 without a building permit. In addition, the Pennington County Planning Department has indicated that a building permit can not be obtained for the accessory structure since a principal use, in this case a residence, does not currently exist on the property. The second accessory structure was located on the property prior to February 1, 1994, and is considered a legal non-conforming structure. The applicant was notified by the Pennington County Planning Department to bring the property into compliance with the County's Zoning Ordinance. As such, the applicant has submitted this Layout Plat to reconfigure the common lot line in order to locate the accessory structure on the same parcel as the existing single family residence.

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:

Staff has reviewed the Layout Plat and has identified the following considerations:

Topographic Information: The applicant has submitted a request to waive the requirement to provide topographic information. The Engineering Division has indicated that due to the severe terrain of the subject property and the existing grades of the adjacent roadway(s), the request to waive the topographic information can not be supported. As such, staff is recommending that the Layout Plat be continued to allow the applicant to submit topographic information at five foot contours as required by Chapter 16.20.030 of the Subdivision Regulations in order to adequately review a Layout Plat. **On January 6, 2003, the applicant submitted topographic information for the subject property.**

Utilities: The Engineering Division has indicated that a water plan must be submitted for review and approval. In addition, a site plan must be submitted for review and approval showing the location of the community well located on Lot 5A. In addition, the service lines from the

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well to the adjacent lot(s) must be shown.

The Engineering Division has also indicated that a site plan showing the location of the existing septic tank and drainfield located on Lot 5A must be submitted for review and approval. The site plan must demonstrate the distance between the on-site wastewater system and the well, building(s) and property lines. Any expansion of the home on Lot 5 or construction of a new home on Lot 23 will require an on-site wastewater permit to be reviewed and approved by the Pennington County Planning Department and, if necessary, the South Dakota Department of Environment and Natural Resources. The Engineering Division has also indicated that the plat must be revised to provide drainfield easements for each of the existing and/or proposed drainfields. Staff is recommending that the site plan showing the utilities as identified be submitted upon Preliminary Plat submittal. **On January 6, 2003, the applicant submitted a site plan showing the utilities. Staff is recommending that the plat document be revised to show utility easements and/or drainfield easements as needed upon submittal of the Preliminary Plat.**

Structural Site Plan: A complete structural site plan must be submitted showing the location of all structures, including the two accessory structures currently located on Lot 23. The site plan must demonstrate the distance(s) to the reconfigured lot line between the two properties in order to determine that all setback(s) are being provided. Staff is recommending that the Layout Plat be continued to allow the applicant to submit a complete structural site plan as identified. **On January 6, 2003, the applicant submitted a structural site plan showing all structural development on the two properties. It appears that all structures meet the setback requirements as per the Suburban Residential Zoning District of the Pennington County Zoning Ordinance.**

Pine Cone Lane: Pine Cone Lane extends north from Howard Street and serves as legal access to Lot 5A. The road currently has a right-of-way width varying from 20 feet to 100 feet with a graveled surface ranging in width from 12 feet to 16 feet. The Street Design Criteria Manual requires that the road be constructed as a minimum 49 foot wide right-of-way with a minimum 24 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 Pine Cone Lane as identified or a Variance to the Subdivision Regulations 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". Pine Cone Lane is an existing cul-de-sac roadway and measures approximately 5,180 feet in length. Upon submittal of the Preliminary Plat, Pine Cone Lane must be revised to comply as outlined or a Special Exception to the Street Design Criteria Manual must be obtained.

Laurel Heights Lane: Laurel Heights Lane extends west from Howard Street and serves as legal access to Lot 23. The road is currently a 40 foot wide right-of-way with a 20 foot wide graveled surface. The road is classified on the Major Street Plan as a minor arterial road requiring a minimum 100 foot wide right-of-way. Upon Preliminary Plat submittal, the applicant must submit construction plans showing the improvement of Laurel Heights Lane

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to City street design standards and the dedication of 30 additional feet of right-of-way for that portion of Laurel Heights Lane that abuts the subject property or a Variance to the Subdivision Regulations must be obtained.

As previously indicated, the Street Design Criteria Manual 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". Laurel Heights Lane is an existing cul-de-sac roadway and measures approximately 5,320 feet in length. Upon submittal of the Preliminary Plat, construction plans as identified for Laurel Heights Lane must be submitted for review and approval or a Special Exception to the Street Design Criteria Manual must be obtained.

Access Easement: The applicant has indicated that an access easement along the east lot line of Lot 5A was previously granted to allow access to Lot 5B located directly north of the subject property. Upon Preliminary Plat submittal, the plat document must be revised to show the access easement. In addition, road construction plans showing the improvement of the access easement to City street design standards must be submitted for review and approval or the a Variance to the Subdivision Regulations must be obtained.

The Street Design Criteria Manual states that an easement may only serve as access to four tracts, parcels or lots of any size. The access easement will serve as access to eight lots 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

Road Maintenance Agreement: In addition to the specified improvements to the adjacent roadways, the Engineering Division has indicated that a road maintenance agreement must be submitted for review and approval for the three abutting roadways. In addition, documentation must be submitted demonstrating that the applicant has the legal right to utilize Pine Cone Lane, a private roadway, as access to the subject property.

Fire Department: The Fire Department has indicated that the property is located in a moderate to high fire hazard area. As such, the applicant must submit a Wild Land Fire Mitigation Plan for review and approval prior to Preliminary Plat approval by the City Council. The Fire Department has indicated that recent tree thinning in the area may negate the requirement to submit a Wild Land Fire Mitigation Plan. Staff is recommending that the applicant work with the Fire Department in order to determine if a Wild Land Fire Mitigation Plan is needed. If required, the Wild Land Fire Mitigation Plan must be implemented prior to Final Plat approval by the City Council. **The Fire Department has performed a site inspection and subsequently indicated that sufficient tree removal has occurred on a large portion of the property. In addition, the Fire Department has indicated that they will continue to work with the applicant and offer guidance to insure that the plan is fully implemented.**

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