

STAFF REPORT

February 20, 2003

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**No. 03PL003 - Layout Plat**

**ITEM 47**

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GENERAL INFORMATION:

PETITIONER	Gary and Donna Kluthe
REQUEST	<b>No. 03PL003 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	SE1/4 NE1/4 and the NE1/4 NE1/4 lying south of County Road #C228 (Sheridan Lake Road) less Lot W, all located in Section 36, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot A and Lot B of Two Cow Subdivision, Section 36, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 64.19 acres
LOCATION	9425 Sheridan Lake Road
EXISTING ZONING	Suburban Residential District
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Suburban Residential District
East:	Suburban Residential District/Low Density Residential District
West:	Suburban Residential District
PUBLIC UTILITIES	Private Well and Septic System
DATE OF APPLICATION	01/09/2003
REPORT BY	Tom Kurtenbach

RECOMMENDATION: Staff recommends that the Layout Plat to subdivide the existing lot into Lots A and B be approved with the following stipulations:

Engineering Division Recommendations:

1. Upon Preliminary Plat submittal, the applicant shall identify access to proposed Lot A from Peregrine Point Place;
2. Upon Preliminary Plat submittal, the applicant shall submit drainage and grading plans for review and approval;
3. Upon Preliminary Plat submittal, the applicant shall submit for review and approval subdivision improvement plans for Peregrine Point Place and the right of way easement in the southeast corner of the subject property;

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4. Prior to Preliminary Plat approval by the City Council, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. Complete street design plans identifying the location of utilities, storm drainage, curb and gutter, dry sewer, water, street light conduit and sidewalk improvements for all adjacent and interior roadways or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Final Plat approval by the City Council, the applicant shall submit a well maintenance agreement for review and approval, to be filed with the Final Plat;
6. Prior to Preliminary Plat approval by the City Council, the applicant shall submit for review and approval soil profile and percolation data collected within five feet of the proposed drainfield area for Lot A;
7. Prior to Preliminary Plat approval by the City Council, the applicant shall submit plans prepared by a registered professional engineer for a septic tank wastewater disposal system;
8. Upon Preliminary Plat submittal, the applicant shall submit information demonstrating how the existing septic tank disposal system may be brought into compliance with State separation requirements;
9. Upon Preliminary Plat submittal, the applicant shall identify the primary and reserve drainfield easements for proposed Lots A and B;
10. Upon Preliminary Plat submittal, the applicant shall submit documentation verifying the depth of the well;
11. Prior to Preliminary Plat approval by the City Council, the applicant shall submit information which demonstrates that the flow from the existing well is adequate for domestic use and shall provide flows required for fire protection;
12. Prior to Preliminary Plat approval by the City Council, the applicant shall demonstrate that access to the proposed lots meet the requirements of the Street Design Criteria Manual;
13. Upon Preliminary Plat submittal, the applicant shall demonstrate whether Sheridan Lake Road is currently dedicated right of way, and how any required additional right of way shall be dedicated. Any required additional right of way shall be dedicated prior to Preliminary Plat approval by the City Council;
14. Upon Preliminary Plat submittal, the applicant shall demonstrate how Peregrine Point Place right of way shall be dedicated. The right of way shall be dedicated prior to Preliminary Plat approval by the City Council;
15. Upon Preliminary Plat submittal, the applicant shall identify the lot lines of the well lot, section line highway and all easements on the property;

County Highway Recommendations:

16. Upon Preliminary Plat submittal, the applicant shall identify a non-access easement along Sheridan Lake Road and along a minimum of 85 feet adjacent to Peregrine Point Place south from the intersection with Sheridan Lake Road;

Fire Department Recommendations:

17. Prior to Preliminary Plat approval by the City Council, the applicant shall demonstrate that access to the proposed lots will meet all Uniform Fire Code requirements;
18. Prior to Preliminary Plat approval by the City Council, the applicant shall submit for review and approval by the City Fire Department a wildland fire mitigation plan;

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Transportation Planning Division Recommendations:

19. Upon Preliminary Plat submittal, the applicant shall demonstrate alignment of Peregrine Point Place and Norsemen Lane where they intersect with Sheridan Lake Road;

Urban Planning Division Recommendations:

20. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval;
21. Prior to Final Plat approval by the City Council, improvements to the section line highway (Peregrine Point Place) and access easement shall be completed, or a Variance to the Subdivision Regulations shall be obtained to waive the requirements; and,
22. 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 Layout Plat application was continued at the February 6, 2003 Planning Commission meeting to allow for further discussion of the issues related to the required subdivision improvements. (All changes have been shown in bold. No other changes have been made to this report.)** The subject property is approximately 64 acres in size, and is located south of Sheridan Lake Road and west of Peregrine Point Place, a section line highway. A single family residence and garage occupy the subject property. The residence is served by a private well and septic sewer system. Access to the residence is currently provided from Sheridan Lake Road. The applicant has submitted a Layout Plat to subdivide one lot into two lots. Proposed Lot A is approximately six acres in size, while proposed Lot B is approximately 58 acres.

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. For this project, the applicant submitted a non-scaled, hand drawn plat document, which limits Staff's ability to provide a detailed review of the application. The applicant is cautioned that additional issues may become apparent when more accurate information is submitted as part of subsequent applications.

All specific details of the subdivision may not be addressed at the Layout Plat but the major concerns and issues are identified based on the minimal 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:

Site Plan: Information submitted by the applicant identifies a well lot located in the northeast corner of the subject property. It appears that a portion of the well lot lies within the section line highway. The well lot is not identified on the proposed Layout Plat. It is not clear from

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the information submitted to date whether structure(s) exist on the well lot, and whether the well lot will remain. In the southeast corner of the subject property, the section line highway trends to the southwest, crossing the corner of the subject property. Upon Preliminary Plat submittal, the applicant shall submit information clarifying these issues with the well lot, the section line highway and all easements on the property.

Sheridan Lake Road Right of Way: Sheridan Lake Road abuts the north lot line of the property. The proposed Layout Plat submitted by the applicant does not identify whether Sheridan Lake Road is dedicated right of way. Staff recommends that the applicant demonstrate whether Sheridan Lake Road is currently dedicated right of way upon Preliminary Plat submittal.

Sheridan Lake Road is classified as a Principal Arterial Street in the Major Street Plan. Arterial streets require a minimum right of way width of 100 feet. The required 100 foot right of way shall be dedicated by the property owners abutting Sheridan Lake Road. If the applicant demonstrates that Sheridan Lake Road is not dedicated right of way, the applicant has the option of dedicating the entire 100 feet, sharing the right of way dedication with the property owner(s) located to the north, or dedicating only half of the required right of way width. The option of dedicating only half of the right of way width would require a Variance to the Subdivision Regulations waiving the constraint of dedicating a half street. Any required additional right of way shall be dedicated prior to Preliminary Plat approval by the City Council.

Access: The subject property is fronted by Sheridan Lake Road on the north and Peregrine Point Place on the east. Sheridan Lake Road is classified as a Principal Arterial Street in the Major Street Plan, while Peregrine Point Place is unclassified at this time. The applicant has applied for a Special Exception to the Street Design Criteria Manual waiving the requirement to take access from Sheridan Lake Road, and not the lesser order street. The lesser order street abutting the subject property is Peregrine Point Place (See Companion Item #03SV004). Review of the information submitted by the applicant identifies approximately eight access points to properties located north of Sheridan Lake Road. Additional access points along Sheridan Lake Road would reduce ingress/egress safety for vehicular traffic along Sheridan Lake Road. As such, Staff cannot support a Special Exception to the Street Design Criteria Manual waiving the requirement to take access from Peregrine Point Place. Upon Preliminary Plat submittal, the applicant shall identify access to proposed Lot A from Peregrine Point Place. Additionally, the applicant shall identify a non-access easement along Sheridan Lake Road and a minimum of 85 feet along Peregrine Point Place to the south from Sheridan Lake Road.

Peregrine Point Place Bed and Breakfast is located south of the subject property, and is operating under a Pennington County Conditional Use Permit. During the Conditional Use Permit review by County Planning Staff, it was determined that a right of way easement crossing the southeast corner of the subject property was necessary to provide access and utilities from Peregrine Point Place to the bed and breakfast facility. City Planning staff review of the easement document indicates the access and utility easement is 40 feet wide.

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Staff recommends that both the Peregrine Point Place section line highway and the access easement be constructed with a minimum 52 foot wide right of way and a 27 foot wide paved surface to meet the requirements of a subcollector street as identified in the Street Design Criteria Manual. The required 52 foot section line highway right of way shall be dedicated by the property owners abutting the section line. The applicant has the option of dedicating the entire 52 feet, sharing the right of way dedication with the property owner(s) located to the east, or dedicating only half of the required right of way width. The option of dedicating only half of the right of way width would require a Variance to the Subdivision Regulations waiving the constraint of dedicating a half street. Upon Preliminary Plat submittal, the applicant shall demonstrate how the section line highway shall be dedicated.

Peregrine Point Place and Norsemen Lane Street Alignment: Review of the information submitted by the applicant identifies a misalignment of Peregrine Point Place and Norsemen Lane located across Sheridan Lake Road to the north. Staff is concerned that this misalignment of streets is a traffic safety concern, especially when considering future traffic volumes for this area. Staff is recommending that upon Preliminary Plat submittal, the applicant shall demonstrate alignment of these streets where they intersect Sheridan Lake Road.

Water and Sewer: Water and sewer services are provided to the subject property by a private well and a septic drainfield system, respectively. According to information provided by the applicant, the well is located east and the septic tank and drainfield are located southeast of the existing residence at the subject property. The separation distance between the well and the septic system is approximately 50 feet. According to South Dakota Department of Environment and Natural Resources Chapter 74:53:01, water supply wells exceeding 100 feet in depth require a minimum 100 foot separation from wastewater system components. Information as to the depth of the well was not submitted by the applicant. Staff recommends that the applicant submit documentation verifying the depth of the well at the time of Preliminary Plat submittal. Upon Preliminary Plat submittal, the applicant shall demonstrate how the existing septic tank disposal system may be brought into compliance with State separation requirements.

If the applicant is proposing to service both proposed Lots A and B with the existing well, a well maintenance agreement must be submitted for review and approval. Additionally, an easement must be identified on the plat extending from the existing well to proposed Lot A. Upon Preliminary Plat submittal, the applicant shall also demonstrate that flow from the existing well is adequate for domestic and fire protection uses for the existing and proposed lots. Upon Preliminary Plat submittal, primary and reserve drainfield easements shall be identified on the plat.

Subdivision Improvements to Sheridan Lake Road and the Peregrine Point Place Section Line Highway: Chapter 16 of the Rapid City Municipal Code (Subdivision Regulations) requires the installation of curb, gutter, sidewalk, street light conduit, dry water, dry sewer and pavement in the Peregrine Point Place section line highway, and curb, gutter, sidewalk, street light conduit, dry water and dry sewer along Sheridan Lake Road. Prior to Final Plat approval, the subdivision improvement requirements to Sheridan Lake Road and Peregrine

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Point Place as specified in Section 16.20.040 of the Rapid City Municipal Code must be completed or secured, or a Subdivision Regulations Variance must be obtained (See Companion Item #03SV004).

Staff believes that the proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations. It should be noted however that Staff has significant concerns that require further review of additional information to be submitted by the applicant. The applicant is cautioned that additional issues may become apparent when more complete and detailed information is submitted as part of the Preliminary Plat submittal.