

STAFF REPORT
October 27, 2005

No. 05PL182- Layout Plat

ITEM 47

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying for Arvin and Carole Flesner
REQUEST	No. 05PL182 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 1, Tract A, and the balance of Tract A in the NE1/4 SE1/4, Section 12, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2, Flesner Subdivision, in the NE1/4 SE1/4, Section 12, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 27.88 acres
LOCATION	1.3 miles northwest of Rapid City and adjacent to the north side of Nameless Cave Road
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	Suburban Residential District (Pennington County) - General Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	9/30/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, a grading plan, a drainage plan and geotechnical information shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as needed;
2. Upon submittal of a Preliminary Plat application, 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. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;

STAFF REPORT
October 27, 2005

No. 05PL182- Layout Plat

ITEM 47

3. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review. If a shared well and/or a community water facility is proposed than it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show utility easement(s) as needed;
4. Upon submittal of a Preliminary Plat application, construction plans for Nameless Cave Road shall be submitted for review and approval. In particular, Nameless Cave Road shall be constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
5. Upon submittal of a Preliminary Plat application, road construction plans for the access easements shall be submitted for review and approval. In particular, the access easements shall be revised to provide a minimum 49 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
6. Prior to Preliminary Plat approval by the City Council, the section line highway located along the east lot line shall be improved to City Street Design standards. In particular, the street shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. In addition, the entire section line highway shall be vacated or a Variance to the Subdivision Regulations shall be obtained to allow platting half a right-of-way. If the section line highway is vacated, a Comprehensive Plan Amendment to the Major Street Plan to eliminate and/or relocate the minor arterial street shall be obtained;
7. Upon submittal of a Preliminary Plat application, a subdivision cost estimate shall be submitted for review and approval;
8. Prior to Preliminary Plat approval by the City Council, the property shall be rezoned to support the proposed lot size(s) or a lot size variance shall be obtained;
9. Prior to submittal of a Final Plat application, the plat document shall be revised to show the correct spelling of the subdivision name as "Flesner" Subdivision;
10. Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along Nemo Road; and,
11. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to reconfigure two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to dedicate additional right-of-way and to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along Nameless Cave Road, a section line highway and two access easements as they abut the subject property. (See companion item #05SV070.)

The subject property is located approximately 1 ½ miles northwest of the City limits of Rapid City on the north side of Nameless Cave Road. Currently, a single family residence and accessory structures are located on proposed Lot 1.

STAFF REPORT
October 27, 2005

No. 05PL182- Layout Plat

ITEM 47

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 provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval 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 Rapid City Municipal 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 noted the following considerations:

Zoning: The property is currently zoned General Agriculture District by Pennington County. The General Agriculture District requires a minimum lot size of 40 acres. The Layout Plat identifies that the proposed lots will be sized 12.34 acres and 15.34 acres, respectively. As such, prior to Preliminary Plat approval by the City Council, the property must be rezoned to Limited Agriculture District to support the proposed lot sizes or a Variance to the lot size requirement must be obtained.

Sewer: Sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are used, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval. Please note that the subject property is located over the Madison Aquifer that is the source of ground water and surface water for the Rapid Creek and other drainage basins in the Black Hills. As such, percolation information prepared by a Professional Engineer supporting on-site wastewater systems on the subject property must be submitted for review and approval. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by City Ordinance.

Water: Water plans prepared by a Registered Professional Engineer showing the extension of water mains must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If on-site well(s) are used, data to confirm that the well(s) have sufficient flows and water quality must be submitted for review and approval. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by City Ordinance.

Section Line Highway: The Layout Plat also identifies a section line highway located along the east lot line of the subject property. The section line highway is identified as a minor arterial street on the City's Major Street Plan requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Prior to Preliminary Plat approval, the section line highway

STAFF REPORT
October 27, 2005

No. 05PL182 - Layout Plat

ITEM

must be improved to City Street standards as identified or a Variance to the Subdivision Regulations must be obtained to waive the street improvements or the section line highway must be vacated. The eastern 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 line right-of-way, the adjacent property owner will need to concur in the request. In addition, if the section line highway is vacated, then a Comprehensive Plan Amendment to amend the Major Street Plan to eliminate and/or relocate the minor arterial street must be obtained. Prior to Planning Commission approval of the Preliminary Plat, the section line highway issue must be addressed as identified.

Nameless Cave Road: Nameless Cave Road is located along the south lot line and is classified as a sub-collector street requiring that the street be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Nameless Cave Road is located in a 66 foot wide right-of-way and constructed with an approximate 22 foot wide paved surface. As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for Nameless Cave Road be submitted as identified or a Variance to the Subdivision Regulations must be obtained.

Access Easements: The Layout Plat identifies a 40 foot wide access easement extending north from Nameless Cave Road to serve as access to proposed Lot 1 as well as a second lot located north of the subject property. In addition, a 20 foot wide access easement extends east to west across proposed Lot 1 to serve as access to an existing lot located directly east of the subject property. The easements are classified as lane place streets requiring that they be located in a minimum 45 foot wide right-of-way or easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, the 40 foot wide easement is constructed with an approximate 18 foot wide graveled road and the 20 foot wide easement is constructed with an approximate 12 foot wide graveled road. As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the access easements be submitted as identified or a Variance to the Subdivision Regulations must be obtained.

Staff believes the proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.