

STAFF REPORT
March 8, 2007

No. 07PL024 - Layout Plat

ITEM 11

GENERAL INFORMATION:

PETITIONER	Joe Ratigan
REQUEST	No. 07PL024 - Layout Plat
EXISTING LEGAL DESCRIPTION	The NE1/4 NE1/4 NE1/4, and the SE1/4 NE1/4 NE1/4, Section 14, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20 acres
LOCATION	8109 and 8115 West Highway 44
EXISTING ZONING	General Agriculture District - Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	2/6/2007
REVIEWED BY	Jonathan Smith / Emily Fisher

RECOMMENDATION:

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

1. 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 then 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;
2. Upon submittal of a Preliminary Plat a grading and erosion plan shall be submitted for review and approval;
3. Upon the submittal of a Preliminary Plat application, construction plans for the east-west section line highway shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer, or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated. In addition, a Variance to the Subdivision Regulations shall be obtained to allow platting half of a right-of-way if needed;
4. Upon the submittal of a Preliminary Plat application, construction plans for the north-

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- south section line highway shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer, or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated. In addition, a Variance to the Subdivision Regulations shall be obtained to allow platting half of a right-of-way if needed;
5. 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 treatment systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater treatment systems shall be submitted for review and approval;
 6. Upon submittal of a Preliminary Plat, drainage information shall be submitted for review and approval. In particular the drainage plan shall include calculations demonstrating that developed flows from the site do not exceed predeveloped flows;
 7. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 8. 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;
 9. Prior to submittal of a Preliminary Plat, the applicant shall submit a proposed street name to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street name.
 10. Prior to submittal of a Final Plat application, the northern portion of the subject property shall be rezoned to Low Density Residential, or a variance shall be obtained to reduce the lot size requirement from Pennington County and,
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to two lots. The applicant currently owns two adjoining ten acres parcels. In particular the applicant is proposing to re-configure two ten acre parcels into a three acre lot and a 17 acre lot.

Both parcels each have a single family residence located upon them. The southern tract is higher in elevation and contains more trees than the northern tract.

The subject property is located south of the intersection of Cavern Road and West Highway 44. Current zoning of the subject property is General Agriculture District on the northern ten acre parcel and Limited Agriculture District on the southern ten acre parcel. The subject property does not lie within the municipal boundaries of the City of Rapid City; however the property is located within the City of Rapid City's Three Mile Platting jurisdiction. A Variance to the Subdivision Regulations (07SV006) to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water, sewer, and to dedicate additional right-of-way has been submitted in conjunction with this Layout Plat.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any

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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:

The applicant is proposing to relocate the common boundary between the two ten acres lots resulting in a three acre lot, and a 17 acre lot. Staff has reviewed the applicant's proposed Layout Plat and noted the following considerations:

Zoning:

The applicant is proposing to create a three acre lot on the northern tract of the subject property. This property is currently zoned General Agriculture District by Pennington County. The minimum lot size requirement in Pennington County's General Agriculture zoning district is forty acres. The applicant must either rezone the property or obtain a Variance to lot size requirements from Pennington County. Staff is recommending that the lot size be addressed prior to submittal of a Final Plat application.

Section Line Highway

The subject property is bound by section line highway on the northern boundary and the eastern boundary. The applicant has submitted documentation showing that the southern 33 feet of the section line highway that abuts the subject property on the northern boundary of section line highway was vacated by Pennington County on August 18, 1987. The northern boundary section line highway is currently undeveloped. Upon submittal of a Preliminary Plat application, the applicant is required to dedicate the vacated 33 feet as right-of-way and build it to city standards, or vacate the balance of the section line highway, or obtain a Subdivision Variance to allow platting half of the right-of-way.

The section line highway located on the eastern boundary of the property is currently undeveloped. A narrow gravel drive does lie within the section line highway and serves as access to a single family residential dwelling located on the south ten acre parcel. The section line highway is classified as a lane place street requiring that it be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer, or a Variance to the Subdivision Regulations must be obtained or the section line highway must be vacated. In addition, a Variance to the Subdivision Regulations must be obtained to allow platting half of a right-of-way. Staff has noted that the eastern boundary section line highway does not serve as access to any public property owned and as such is not statutorily precluded from being vacated.

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 treatment systems are used, then an on-site wastewater plan prepared by a Professional

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Engineer demonstrating that the soils are suitable for on-site wastewater treatment systems 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 application.

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) and/or a community water source 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 application as required by City Ordinance.

Emergency Services Communications Center:

The plat document does not identify a name for the gravel drive leading to the single family residence on the south parcel. Prior to submittal of a Preliminary Plat application, the applicant shall submit proposed street name(s) for review and approval to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street name(s).

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

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