

STAFF REPORT
March 6, 2008

No. 08PL013 - Layout Plat

ITEM 50

GENERAL INFORMATION:

APPLICANT	Hewey Clemmons
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Hewey Clemmons
REQUEST	No. 08PL013 - Layout Plat
EXISTING LEGAL DESCRIPTION	A portion of the balance of Lot 3 of the S1/2 SW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota, as shown on the plat recorded on October 1, 1963 and filed in "Plat File N"; Beginning at the northeast corner of said balance of Lot 3, said point being located along the north-south quarter section line and also along the southerly edge of the adjoining railroad right-of-way; thence, southerly along said quarter section line, S00°04'53"W a distance of 1,050.36 feet; thence, N63°41'40"W a distance of 205.00 feet; thence, N84°39'26"W a distance of 270.00 feet; thence, N33°30'20"W a distance of 84.00 feet; thence, N00°00'00"W a distance of 796.70 feet; thence, N57°23'22"W a distance of 117.40 feet; thence, N03°48'46"E a distance of 95.00 feet; thence, N12°39'32"W a distance of 150.00 feet more or less to a point on the north line of said Lot 3; thence, easterly along the north line of said Lot 3, S89°55'53"E a distance of 168.93 feet more or less to a point on the southerly line of the adjoining railroad right-of-way; thence, southeasterly along the southerly edge of the adjoining railroad right-of-way, curving to the left on a curve with a radius of 5907.9 feet, a delta of 04°17'30", an arc length of 442.52 feet, and a chord bearing and distance of S62°19'40"E 442.42 feet; thence, continuing southeasterly along the southerly edge of the adjoining railroad right-of-way, S64°28'27"E a distance of 72.21 feet more or less, to the point of beginning
PROPOSED LEGAL DESCRIPTION	Lots A, B and C of Clemmons Addition, located in the S1/2 SW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 13.14 acres

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LOCATION	East S.D. Highway 44 and Apple Tree Road
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Suburban Residential District - Planned Unit Development - Limited Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	2/9/2008
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Layout Plat be continued to the March 27, 2008 Planning Commission meeting to allow the applicant to submit the required information.

GENERAL COMMENTS: The applicant has submitted a Layout Plat to subdivide one parcel of land into three lots ranging in size from 3.01 acres to 6.34 acres and leaving the remaining 45 acres of the property as an unplatted balance. In addition, the applicant has submitted a Variance to the Subdivision Regulations. (See companion item #08SV008.)

The property is located southwest of the intersection of South Dakota Highway 44 and Apple Tree Road. The property is currently zoned Limited Agricultural District in Pennington County. Currently, a single-family residence with accessory structures and a care takers residence that was approved through a Conditional Use Permit in Pennington County are located on the property

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:

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Zoning: The property is currently zoned Limited Agricultural District in Pennington County which requires a minimum lot size of ten acres. The applicant should be aware that prior to Final Plat approval, the property would have to be rezoned or the lots would have to be reconfigured to meet the minimum lot size requirements of the Limited Agricultural District. In addition, prior to Final Plat approval a Conditional Use Permit shall be obtained for proposed Lot C from Pennington County to allow an accessory structure without a primary structure or the structure shall be removed.

Access: The applicant is proposing to access the proposed lots from the north across the existing railroad right-of-way. However, the applicant has not demonstrated that they have an easement to cross the railroad right-of-way or a permit for the crossing. In addition, the applicant has not identified what improvements will be installed at the crossing to protect the vehicles accessing the site across the railroad right-of-way. As such, staff recommends that this item be continued to allow the applicant to demonstrate legal access across the railroad right-of-way to the proposed lots.

Drainage: As part of the Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. In addition, a drainage plan must be submitted for review and approval. In particular, the drainage plan must be designed in compliance with the Drainage Criteria Manual. The drainage plan must also demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. If on-site detention is required, then design calculations and details for the detention must be submitted for review and approval. Staff is recommending that upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary.

Water: Staff noted that no information on the water system was submitted with the Layout Plat. As such, upon submittal of the Preliminary Plat, water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows shall be submitted for review and approval. If the well serves more than one lot, a public water system is required. The design and specifications shall meet the City of Rapid City regulations.

Wastewater Disposal Systems: Staff noted that no information on the sanitary sewer information was submitted with the Layout Plat. As such, upon submittal of the Preliminary Plat, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval. If individual on-site waste water treatment systems are proposed, the applicant must submit the depth of the soil, type of soil, location and capacity of all septic tanks proposed, location and results of the percolation tests, demonstrating that the soils are suitable for on-site wastewater treatment systems shall be submitted for review and approval.

Access Easement: The applicant is proposing an access easement to extend south from South Dakota Highway 44 to proposed Lot C to provide access to the proposed lots. The access easement is classified as a lane/place street requiring that the street be located in a

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minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, road construction plans for the access easement be submitted as identified or a Variance to the Subdivision Regulations must be obtained. In addition, the Pennington County Highway Department is requesting that an access easement be platted across proposed Lot B to provide access to the County Heights Channel for maintenance. Staff is recommending that prior to Preliminary Plat approval by the Planning Commission, an access easement and road construction plans for both access easements must be submitted as identified or a Variance to the Subdivision Regulations must be obtained.

Master Plan: On January 21, 1991, City Council adopted a resolution to establish a policy to request a proposed master plan for surrounding property prior to plat approval. A master plan for the entire property must be submitted for review and approval prior to Layout Plat approval by the Planning Commission. In particular the master plan shall identify efficient circulation of traffic, adequate access to adjoining properties, proper handling of storm water flows, and extension of public utilities.

Staff recommends that the Layout Plat be continued to the March 27, 2008 Planning Commission meeting to allow the applicant to submit the required information as identified above.