

STAFF REPORT
August 7, 2008

No. 08PL104 - Layout Plat

ITEM 45

GENERAL INFORMATION:

APPLICANT/AGENT	Keith and Barbara Rave
PROPERTY OWNER	Keith and Barbara Rave
REQUEST	No. 08PL104 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 13 of High Sheridan Ranch Subdivision, located in Section 35, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 13A and 13B of High Sheridan Ranch Subdivision, Section 35, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.208 acres
LOCATION	13484 Sorrel Court
EXISTING ZONING	Low Density Residential District (Pennington County)
SURROUNDING ZONING	
North:	Low Density Residential District (Pennington County)
South:	Low Density Residential District (Pennington County)
East:	Low Density Residential District (Pennington County)
West:	Low Density Residential District (Pennington County)
PUBLIC UTILITIES	Community water and a private well/on-site wastewater
DATE OF APPLICATION	7/11/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Layout Plat be denied without prejudice.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to subdivide a 5.208 acre lot into two lots. The two proposed lots, Lot 13A and Lot 13B, will be 2.031 acres and 3.177 acres in size, respectively.

The property is located north of Sorrel Court and east of Sand Court. Currently, a single family residence is located on proposed Lot 13B. Lot 13A is currently void of any structural development.

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STAFF REVIEW:

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

Zoning: 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 property is currently zoned Low Density Residential District by Pennington County. The proposed plat will result in lot sizes of 2.03 acres and 3.18 acres, respectively. However, the Low Density Residential District requires a minimum lot size of three acres. As such, the existing 5.21 acre lot does not have sufficient acreage to support further subdivision.

The Pennington County Planning Department has indicated that all of the surrounding properties are currently zoned Low Density Residential District. Rezoning the property to allow the proposed 2.03 acre lot would result in a spot zoning of the property. The Pennington County Planning Department has indicated that spot zoning is typically not supported in the County. As such, staff is recommending that the Layout Plat be denied without prejudice to allow the applicant to resolve the zoning issue with Pennington County.

Water: The applicant has indicated that water service to the existing residence located on proposed Lot 13B is currently provided by the High Sheridan Ranch Water Association, a community water system. However, the applicant has indicated that the High Sheridan Ranch Water Association has stated that a second tap for the proposed residence on proposed Lot 13A would not be allowed. As such, the applicant has indicated that a well will be drilled to serve the residence on Lot 13A.

The Pennington County Fire Department has noted that additional wells in the area continue to have a negative impact on existing wells. In addition, there is concern that a private well may not provide fire and domestic flows to the second residence as required. As such, staff is recommending that the Layout Plat be denied without prejudice to allow the applicant to resolve the water issue. In particular, water plans, prepared by a Professional Engineer, must be provided demonstrating that adequate fire and domestic water flows can be provided.

Wastewater: The applicant has indicated that a private wastewater system, consisting of a septic tank and drainfield, currently serves the residence located on proposed Lot 13B. In addition, the applicant has indicated that proposed Lot 13A will be served by a similar private on-site wastewater system. Any future platting of the property will require that percolation information prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems be submitted for review and approval. In addition, 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 must be obtained. The Pennington County Planning Department has also indicated that a note must be placed on the plat document stating that "An alternate drainfield area shall be identified upon submittal of a building permit".

Sorrel Court and Sand Lane: Sorrel Court is located along the eastern 220 feet of the south lot line of the property and Sand Lane is located along the balance of the south lot. Sorrel Court and Sand Lane are both classified as lane place streets requiring that they be located

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in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Sorrel Court and Sand Lane are located within a 66 foot wide right-of-way and constructed with a 20 foot wide paved surface. Any future platting of the property would require that construction plans for Sorrel Court and Sand Lane be submitted for review and approval showing the streets constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Sand Court: Sand Court is located along the western lot line of the property and is classified as a lane place street requiring that it be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Sand Court is located within a 66 foot wide right-of-way and constructed with a 20 foot wide paved surface. Any future platting of the property would require that construction plans for Sand Court be submitted for review and approval showing the street constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, any future platting of the property will require that surety be posted and subdivision inspection fees be paid as required.

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, prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

Staff is recommending that the Layout Plat be denied without prejudice to allow the applicant to resolve the zoning issue with Pennington County and to submit water plans prepared by a Professional Engineer demonstrating that sufficient domestic and fire flows can be provided.