

STAFF REPORT

June 29, 2000

PLAT #99PL049 - Final Plat

ITEM 2

GENERAL INFORMATION:

PETITIONER	Doug Sperlich for Dennis Zandstra
REQUEST	PLAT #99PL049 - Final Plat
LEGAL DESCRIPTION	Lots 3 and 5 of Block 5, Lots 1 thru 7 of Block 7, and Lots 1 and 2 of Block 8 of Elks Country Estates (formerly a portion of Block 5 of Elks Country Estates and a portion of Tract 1) located in E1/2 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.84 Acres
LOCATION	At the intersection of Jolly Lane, Augusta Drive, Lions Paw Court, and Hazeltine Court
EXISTING ZONING	Low Density Residential II/PRD
SURROUNDING ZONING	
North:	Low Density Residential II/PRD
South:	Low Density Residential II/PRD
East:	Low Density Residential II/PRD
West:	Low Density Residential II/PRD
PUBLIC UTILITIES	City Water and Sewer
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Final Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to Final Plat approval by the City Council, the sidewalks located along Augusta Drive shall be repaired;
2. Prior to Final Plat approval by the City Council, a non-access easement shall be shown along the east side of Lot 4, Block 5, Lots 1, 3 and 7, Block 7 and the west side of Lots 3 and 4, Block 5 and Lots 1, 2 and 4 of Block 8;
3. Prior to Final Plat approval by the City Council, the "highway lot" plat shall be recorded at the Register of Deed's Office;

STAFF REPORT

June 29, 2000

PLAT #99PL049 - Final Plat

ITEM 2

Urban Planning Recommendations:

4. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted and all subdivision inspection fees paid; and,
5. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

GENERAL COMMENTS: The applicant has submitted a Final Plat to subdivide an approximate 4.84 acre parcel of land into eleven residential lots and to extend Jolly Lane to the south lot line of the subject property. The lots range in size from .208 acres to .497 acres and are part of a residential subdivision known as "Elks Country Estates".

In 1990, the City Council approved a Layout Plat for this subdivision with "the concept that a twenty (20) foot gravel road for emergency access along the southern section line right-of-way is adequate as a secondary access until such time that the property east is developed". Subsequently, as part of the 1992 Planned Residential Development for the subject property, a secondary access was required for any platting of property located south of the low water crossing on Jolly Lane. Final Plat approval was granted for a number of lots based on bond being posted for the construction of the emergency access road. The developer failed to obtain adequate right-of-way to allow construction of the required 20 foot wide emergency access road. In 1997, a Layout Plat of Phase Two of Elks Country Estates was approved that identified an emergency access road to Valley Drive extending from the western terminus of Willowbend Road. In 1999, the developer submitted a revised Layout Plat of Phase Two requesting that an alternative emergency access route from Jolly lane extending south to Old Folsom Road be authorized. The City Council denied the request noting that the proposed location of the secondary access road would not support orderly development for the City and would result in pushing infrastructure beyond the normal orderly extension of the City. In 1999, the City Council denied without prejudice a Final Plat request to subdivide the subject property as identified on this plat because an emergency access route had not been identified.

On June 5, 2000, the City Council approved Final Plat #00PL035 to create 12 residential lots and to extend Willowbend Road to Augusta Drive. A "highway lot" along with an "H Lot Use Agreement" were also approved at the June 5, 2000 City Council Meeting. The "highway lot" is located at the western terminus of Willowbend Road. A twenty foot wide access easement extends from Willowbend Road and the "highway lot" through Plum Creek creating a secondary emergency access road from Elks Country Estates to Valley Drive. The "H Lot Agreement" has been signed and submitted to the Register of Deed's Office for recording. To date, a plat of the "highway lot" has not been submitted for recording. Prior to City Council approval, the "highway lot" plat must be submitted for recording.

Staff Review: Staff has reviewed the Final Plat and has noted the following considerations:

Secondary Access: As previously identified, in 1999, the City Council denied without prejudice a Final Plat request to subdivide the subject property as identified on this plat because the

STAFF REPORT

June 29, 2000

PLAT #99PL049 - Final Plat

ITEM 2

approved emergency access route had not been constructed as required by prior City Council action. The approved "Highway Lot Use Agreement" authorized an alternative emergency access route to provide a secondary emergency access road to the Elks Country Estates Development. The access road extending from Jolly Lane Road to Old Folsom Road will be used as an interim emergency access road until such time as Willowbend Road is constructed from Elks Country Estates through Plum Creek. (On June 20, 2000, the applicant signed the "H Lot Use Agreement" and posted surety in an amount equal to 125% of the estimated cost to construct the road within the "highway lot" as specified by the City Council).

The "H Lot Use Agreement" allows the applicant to "...to keep the gates locked on Old Folsom Road". The Fire Department is requesting that a Knox lock be placed on the gate to allow the Fire Department emergency access if necessary. Prior to City Council approval of this plat, the lock must be in place.

Non-access easement requirement: Several of the lots have reverse frontage on Jolly Lane and Willowbend Road. Two of the lots, Lot 4, Block 5 and Lot 1, Block 7, are corner lots and are fronted by a street on three sides. The Engineering Division and the Transportation Division have indicated that a non-access easement must be shown along the east side of Lot 4, Block 5, Lots 1, 3 and 7, Block 7 and the west side of Lots 3 and 4, Block 5 and Lots 1, 2 and 4 of Block 8 in order to limit the number of driveways to be located along the higher priority street.

Subdivision Improvements: Prior to Final Plat approval, subdivision improvements as specified in Section 16.20.040 of the Rapid City Municipal Code must be completed or surety must be posted. The Engineering Division has indicated that some of the sidewalks currently constructed on the subject property have failed. In particular, portions of the sidewalks located along the north and south side of Augusta Drive have failed and must be repaired. Staff is recommending that all subdivision improvements be completed prior to Final Plat approval or that surety be posted.