

STAFF REPORT

July 3, 2002

No. 02PL061 - Preliminary and Final Plat

ITEM 8

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Eng. for Thomas Lee
REQUEST	No. 02PL061 - Preliminary and Final Plat
EXISTING LEGAL DESCRIPTION	Lot 2 of Rimrock Ranch Subdivision, located in the NE1/4 of the NE1/4 and the SE1/4 of the NE1/4 of Section 13, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 2A and 2B of Lot 2 of Rimrock Ranch Subdivision, located in the NE1/4 of the NE1/4 and the SE1/4 of the NE1/4 of Section 13, T1N, R6E, BHM, Pennington County
PARCEL ACREAGE	Approximately 10.00 acres
LOCATION	6905 West S.D. Highway 44
EXISTING ZONING	Limited Agriculture District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Limited Agriculture District (County)
East:	Limited Agriculture District (County)
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	Private wells and on-site wastewater systems
DATE OF APPLICATION	06/07/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Prior to City Council approval of the Preliminary Plat, the location of existing and/or proposed well(s) within 150 feet of the existing and/or proposed on-site wastewater systems shall be submitted for review and approval;
2. Prior to City Council approval of the Preliminary Plat, road construction plans for the 40

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- foot wide access easement and the common access easement shall be submitted for review and approval;
3. Prior to City Council approval of the Final Plat, the 40 foot wide access easement and the common access easement shall be constructed in compliance with Section 16.20.040 of the Rapid City Municipal Code or a Variance to the Subdivision Regulations shall be obtained;
 4. Prior to City Council approval of the Final Plat, the plat shall be revised to show a drainfield easement for the existing drainfield located on proposed Lot 2B;

Fire Department Recommendations:

5. Prior to City Council approval of the Final Plat, the applicant shall work with the Fire Department to develop and implement a Fire Mitigation Plan;
6. The Uniform Fire Code shall be continually met;

Urban Planning Division Recommendations:

7. Prior to Final Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot length greater than twice the lot width or the plat shall be revised to comply with the length to width requirement;
8. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
9. Prior to Final Plat approval by the City Council, 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 Preliminary and Final Plat to subdivide the subject property into two lots. The lots will be 4.28 acres and 5.72 acres in size, respectively. The lots will be known as Lots 2A and 2B of Rimrock Ranch Subdivision. Currently, a single family residence is located on proposed Lot 2B.

The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalks, street light conduit, pavement and dry sewer and water lines on the access easements and to waive the requirement to install curb, gutter, sidewalks, street light conduit and dry sewer and water along West S. D. Highway 44. In addition, the applicant has requested a Variance to the Subdivision Regulations to allow lots twice as long as they are wide. (See companion item #02SV028.)

On January 25, 2002, the applicant submitted a Preliminary and Final Plat request to subdivide the subject property as identified by this plat. The applicant subsequently requested that the City Council acknowledge his request to withdraw the Preliminary and Final Plat due to pending rezoning issues with the Pennington County Board of Commissioners. On May 21, 2002, the Board of Commissioners approved a rezoning request of the subject property from Limited Agriculture District to Low Density Residential District. The applicant has, subsequently, resubmitted a Preliminary and Final Plat request to again be considered by the City.

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STAFF REVIEW:

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

Zoning: The property is located in Pennington County, outside of the incorporated city limits of Rapid City. As previously indicated, on May 21, 2002, a rezoning request to change the zoning of the subject property from Limited Agriculture District to Low Density Residential District was approved by the Pennington County Board of Commissioners. The proposed lot size(s) of 4.28 acres and 5.72 acres meet the minimum three acre lot size as required in the Low Density Residential District.

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed Preliminary and Final Plat identifies that proposed Lot 2A will have a length twice the distance of the width. As such, staff is recommending that a Variance to the Subdivision Regulations be obtained prior to Final Plat approval or the plat be revised to comply with the length to width requirement.

Access Easements: A forty foot wide access easement is currently located along the front of the subject property and serves as legal access to a lot located directly east of the property. Currently, the access easement is constructed with an approximate 12 foot wide paved surface. In addition, the plat identifies a "common access easement" along the common lot line of the two proposed lots to serve as shared access to the properties. The Engineering Division has indicated that the two easements must be improved to City standards as required by Section 16.20.040 of the Rapid City Municipal Code. As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalks, street light conduit, pavement and dry sewer and water lines on both easements. Prior to City Council approval of the Preliminary Plat, the Variance to the Subdivision Regulations must be obtained or construction plans must be submitted for review and approval.

S.D. Highway 44 West: S. D. Highway 44 West is located along the north lot line of the subject property. The Engineering Division has indicated that the road must be improved to City standards as required by Section 16.20.040 of the Rapid City Municipal Code. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalks, street light conduit and dry sewer and water lines on S.D. Highway 44 West. Prior to City Council approval of the Preliminary Plat, the Variance to the Subdivision Regulations must be obtained or construction plans must be submitted for review and approval.

On February 2, 2002, the South Dakota Department of Transportation approved an Approach Permit to allow an existing approach along S.D. Highway 44 West to serve as access to the two proposed lots. The South Dakota Department of Transportation also indicated that in 1996 an Approach Permit was originally approved at this site to allow three residences to utilize the approach. The proposed subdivision will result in four lots utilizing

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the existing approach. The South Dakota Department of Transportation has indicated that the additional lot will have a minimal impact along S. D. Highway 44 West and, as such, no additional improvements to S. D. Highway 44 West are needed at this time.

Wastewater: The applicant has indicated that the lots will be served by an on-site wastewater system. The applicant has submitted a site plan showing the location of the existing septic tank and drainfield located on proposed Lot 2B. In addition, the proposed Preliminary and Final Plat identifies that the north 300 feet of both lots will be designated as "drainfield easements".

The Engineering Division has indicated that the property is located atop the Madison Aquifer outcrop area. In the past, the Engineering Division has required a minimum ten acre lot size for any proposed developments over the Madison Aquifer outcrop area when on-site wastewater was being proposed due to the potential contamination of Rapid Creek and regional ground water.

The Engineering Division has indicated that it is difficult to remain consistent with the policy due to the varied soil conditions within the Madison Aquifer outcrop area. Some parcels in excess of ten acres may not have adequate soils to allow septic tanks and drainfields requiring the construction of a community wastewater facility or self-containment systems (i.e., holding tanks). In addition, smaller parcels may have sufficient soils to justify allowing septic tanks and drainfields. The Engineering Division and the Pennington County Environmental Technician have indicated that the percolation information and soil profile data submitted for the existing and proposed drainfield locations support that on-site wastewater systems be allowed.

Water: The applicant has indicated that a well is currently located on proposed Lot 2B to serve the residence located on the property. The applicant has also indicated that a separate well will be located on proposed Lot 2A to serve the future residence to be located on the property. Staff is recommending that a site plan be submitted for review and approval showing the location of the existing and the proposed well(s) to insure that the minimum separation requirements between the well(s) and the existing and proposed on-site wastewater systems are maintained. In addition, the Engineering Division has indicated that any other wells located within 150 feet of the existing and proposed on-site wastewater systems must also be shown.

Fire Department: The Fire Department has indicated that the property is located in a moderate to high Wild Fire Hazard Area. As such, the Fire Department has indicated that the applicant must work with the Fire Department to design and implement a Fire Mitigation Plan prior to City Council approval of the Final Plat.

The Fire Department has also indicated that any private driveways in excess of 150 feet must provide an emergency turnaround area to accommodate Fire Department apparatuses as required by the Uniform Fire Code. Staff is recommending that the Uniform Fire Code be continually met.

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Staff believes the proposed plat generally complies with all applicable zoning and subdivision regulations assuming compliance with the stated stipulations.