

STAFF REPORT

July 10, 2003

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**No. 03SE004 - Special Exception to allow 80 dwelling units in lieu of 40 dwelling units with one point of access**      **ITEM 37**

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GENERAL INFORMATION:

PETITIONER	DLK Engineering for South Creek Limited Partnership
REQUEST	<b>No. 03SE004 - Special Exception to allow 80 dwelling units in lieu of 40 dwelling units with one point of access</b>
EXISTING LEGAL DESCRIPTION	Lot 2 less a parcel of land described by metes and bounds: beginning at the SE Section Corner of Section 7, T1N, R8E, BHM; thence N89°32'15"W a distance of 639.26 feet more or less; thence N00°00'35"W a distance of 50 feet more or less to the True Point of Beginning; this point is the common corner of the South East corner of Lot 2 Fellowship Addition and the South West corner of the remaining balance of Lot 2 Superpumper Addition; thence N00°00'35"W a distance of 610.83 feet more or less; thence N89°29'15"W a distance of 22.78 feet more or less; thence N00°02'07"E a distance of 330.81 feet more or less; thence S89°37'12"E a distance of 611.89 feet more or less; thence S00°01'35"W a distance of 742.35 feet more or less; thence N09°32'15"W a distance of 200.00 feet more or less; thence S00°01'35"W a distance of 200.00 feet more or less; thence N89°32'15"W a distance of 389.26 feet to the True Point of Beginning, located in Superpumper Addition, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 22.94 acres
LOCATION	North of Fairmont Boulevard and east of South Highway 79
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District/General Commercial District
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water

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DATE OF APPLICATION                      06/17/2003

REPORT BY                                      Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Special Exception to allow 80 dwelling units in lieu of 40 dwelling units with one point of access be denied.

GENERAL COMMENTS:

The applicant has submitted a Special Exception to allow 80 dwelling units in lieu of 40 dwelling units with one point of access on the above legally described property. On April 24, 2003 the Planning Commission approved a Preliminary and Final Plat to into two lots. (To date, the City Council has not approved the Preliminary and Final Plat.) On May 30, 2003, the applicant submitted an Initial and Final Planned Unit Development to allow an 80 unit multi-family residential development on the subject property. This item will be heard at the July 10, 2003 Planning Commission meeting. (See companion items #03PI028 and 03PD027.)

The property is located in the northwest corner of the Cambell/Street Fairmont Boulevard intersection and is currently void of any structural development.

STAFF REVIEW:

On August 16, 2000, the City Council approved an amendment to the Street Design Criteria Manual stating that "...a street shall not provide exclusive access to more than forty (40) dwelling units. A second street access shall be provided when more than forty (40) dwelling units are exclusively accessed from a street". East Oakland Street extending west from Cambell Street and south from the Park Meadows Subdivision, will serve as legal access to the subject property. To date, the southern 200 feet of East Oakland Street located within the Park Meadows Subdivision has not been dedicated as right-of-way nor has the street been constructed. As such, the applicant is requesting the Special Exception as identified.

The intent of the amendment to the Street Design Criteria Manual limiting the number of residences with one point of access is to insure safe ingress and egress into these development(s) during times of an emergency. In particular, the Fire Department has indicated that during times of a fire and/or any other catastrophe such as a flood, one point of access to more than forty dwelling units is not adequate to handle emergency vehicle traffic and residential traffic.

The City Council recently approved a Special Exception request to allow 69 dwelling units with one point of access from Alta Vista Street for the West Hills Village multi-family residential development and the Minnesota Ridge Subdivision. The applicant proposed the use of one point of access to the property on a temporary basis until a second access could be extended.

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The applicant has indicated that a second point of access will be provided to the subject property once the southern 200 feet of East Oakland Street located within the Park Meadows Subdivision has been dedicated as right-of-way and constructed. However, a Preliminary and/or Final Plat for this phase of the Park Meadows Subdivision has not been submitted for review and approval.

Due to the safety issues relative to allowing more than 40 dwelling units with one point of access, staff recommends that the Special Exception to allow 80 dwelling units with one point of access be denied.