

STAFF REPORT  
May 27, 2004

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**No. 04PL060 - Preliminary Plat**

**ITEM 4**

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GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Jim Scull
REQUEST	<b>No. 04PL060 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	A portion of Lot B of "Government" Lot 4 , Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 14 of Block 1, Lots 1 thru 6 of Block 2, and Lot 1 of Block 3, Kennsington Heights Subdivision, located in "Government" Lot 4, , Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.163 acres
LOCATION	West of the future intersection to Elm Avenue and Field View Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	Low Density Residential District/General Agriculture District
West:	Public District/General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	04/29/2004
REVIEWED BY	Vicki L. Fisher / Sig Zvejnieks

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, Elm Avenue right-of-way shall be dedicated either as a part of the Preliminary Plat for the subject property or on a separate Preliminary and Final Plat proposal or as an H Lot. In addition, the plat document shall be revised to dedicate an additional ten feet of right-of-way along Elm Avenue or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, additional drainage information shall be submitted for review and approval. In particular, an erosion control design for the storm pipe discharge shall be submitted for review and approval. In addition, the

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- drainage information shall demonstrate that the flared and elbow sections of the storm pipe tie-rod together for the appropriate length;
3. Prior to Preliminary Plat approval by the City Council, necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Engineering Division;
  4. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show a non-access easement along Elm Avenue, Field View Drive and along the corner lots as per the Street Design Criteria Manual. In addition, access shall be taken from the lesser order street or a Special Exception to the Street Design Criteria Manual shall be obtained;
  5. A Special Exception to reduce the separation between the Field View Drive/Elm Avenue intersection and the Field View Drive/Davin Drive intersection from 125 feet to 90 feet as per the Street Design Criteria Manual is hereby granted;
  6. Prior to Preliminary Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval;
  7. Prior to Preliminary Plat approval by the City Council, a different street name for Craig Court shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street name;
  8. Upon submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Elm Avenue; and,
  9. Upon submittal of a Final Plat application, 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 Plat to subdivide a 14.61 acre parcel into 21 residential lots leaving an approximate ten acre non-transferable balance. In addition, the applicant has submitted a Master Plan showing the future platting of a portion of the non-transferable balance into 21 additional residential lots leaving approximately four acres as a non-transferable balance. Currently, a single family residence and a pole barn are located on the four acre non-transferable balance.

In 2001, the City Council denied without prejudice at the applicant's request a Layout Plat proposing to subdivide the 14.61 acre parcel into 42 residential lots leaving a non-transferable balance. That proposal was similar to the applicant's Master Plan submitted with this request. At that time, the applicant was unable to obtain right-of-way for the extension of Elm Avenue which was identified as the sole legal and physical access to the subject property.

On February 16, 2004, the City Council approved a Layout Plat subdividing the subject property as shown on this Preliminary Plat. In addition, the City Council acknowledged the applicant's request to withdraw an associated Preliminary Plat since the right-of-way for Elm Avenue had not to date been dedicated.

**STAFF REVIEW:**

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

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Elm Avenue: The Preliminary Plat identifies Elm Avenue located on an adjacent property, east of the subject property, serving as access to the site. On April 8, 2004, the adjacent property owner submitted a Preliminary Plat to subdivide a 2.79 acre parcel into eight residential lots as Phase V of the Meadows Subdivision. In addition, the Preliminary Plat identifies the dedication of the portion of Elm Avenue that abuts the subject property. In addition, road construction plans were submitted showing Elm Avenue located within an 80 foot wide right-of-way and constructed with a 36 foot wide paved surface, curb, gutter, street light conduit, water and sewer. However, Elm Avenue is classified as a minor arterial street requiring that it be located within a minimum 100 foot wide right-of-way. A stipulation of approval of the Preliminary Plat for the adjacent property requires that prior to approval by the City Council, the plat document be revised to dedicate ten additional feet of right-of-way for Elm Avenue or a Variance to the Subdivision Regulations be approved to waive the requirement. Staff is recommending that prior to Preliminary Plat approval of the subject property by the City Council, the plat document also be revised to dedicate ten additional feet of right-of-way or a Variance to the Subdivision Regulations must be obtained to waive the requirement.

Staff is also recommending that the Final Plat for the adjacent property be approved prior to or in conjunction with the Preliminary Plat for the subject property in order to insure the dedication of the Elm Avenue right-of-way or dedicated as an H Lot.

The Master Plan showing Phase Two of the proposed development identifies the gradual curvature of Elm Avenue placing the street on the common lot line between the applicant's property and the adjacent property owner. The applicant must continue to coordinate the actual location and dedication of right-of-way for the street with the adjacent property owner prior to submittal of a Preliminary Plat for Phase Two of the development.

Davin Drive: The Layout Plat shows Davin Drive extending south from Field View Drive. The intersection of Davin Drive and Field View Drive is located 90 feet west of the Field View Drive/Elm Avenue intersection. The Street Design Criteria Manual requires a minimum separation of 125 feet between the right-of-way for the two intersections. The applicant has requested a Special Exception to reduce the intersection separation as identified. Upon review of the associated construction plans for Elm Avenue located on the adjacent property, staff has noted that a separation of 130 feet from edge of the curb of Elm Avenue to the edge of the curb of Davin Drive is being provided. As such, staff is recommending that the Special Exception to reduce the intersection right-of-way separation from 125 feet to 90 feet be approved.

Utilities: The applicant has submitted construction plans for the extension of water and sewer to serve the proposed development. Staff is recommending that changes be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings must be returned to the Growth Management Department.

The construction plans also identify that the proposed subdivision will initially be served from the City's low level water service zone. Due to the topography and infrastructure of the area, a Utility Master Plan identifies that the subdivision will ultimately be served from the

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Robbinsdale Water Service Zone upon full development of the area. The elevation of the proposed subdivision will result in static pressure of 120 psi. City Design Specifications require pressure reducing valves be installed at service locations with pressure over 80 psi. Therefore, pressure reducing valves will be required and must be identified as a part of building permit(s) issued for each individual residential structure at the time of construction.

Drainage: Staff has indicated that additional drainage information must be submitted for review and approval. In particular, an erosion control design for the storm pipe discharge must be submitted for review and approval. In addition, the drainage information must demonstrate that the flared and elbow sections of the storm pipe tie-rod together for the appropriate length. Staff is recommending that the drainage information be submitted for review and approval prior to Preliminary Plat approval by the City Council.

Lot Configuration: Lot 1 of Block 3 is bordered on three sides by right-of-way requiring a 25 foot setback from each street. As such, a significantly smaller building envelope exists on this lot than adjacent properties. The applicant may want to increase the size of Lot 1 to insure that a sufficient building envelope exists on the property. A future property owner may have a difficult time locating a house on this lot similar to the size of other homes being constructed within the development.

Well Lot: The Master Plan identifies that in Phase Two of the development, two residential lots will be platted over an existing 60 foot wide utility access easement and a well lot. Upon Preliminary Plat submittal of Phase Two, the utility easement must be constructed to City street design standards with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. Since the easement and well lot preclude structural development on these two lots, it appears that the applicant is proposing to vacate the utility access easement and abandon the well. The applicant should be aware that the well lot and utility access easement must be addressed as a part of Phase Two of the development.

Plat Labeling: The Emergency Services Communication Center has indicated that Craig Street currently exists within Pennington County. As such, a different street name must be submitted for review and approval. Staff is recommending that a different street name be submitted for review and approval and the plat document be revised accordingly prior to Preliminary Plat approval by the City Council.

Staff believes the proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.