

STAFF REPORT
September 23, 2004

No. 04PL121 - Layout Plat

ITEM 24

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Bill Freytag
REQUEST	No. 04PL121 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lots 12 and 13 of Madisons Subdivision located in the SW1/4 of Section 13, T2N, R7E, BHM and the unplatted balance of the NE1/4 of the NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Block 1; Lots 1-10 of Block 2; Lots 1-20 of Block 3; Lot 1 of Block 4, and Lots 1-11 of Block 5; all of Kateland Subdivision, and dedicated public right-of-ways shown as Nace Court, Earleen Court, Roberta Street, Kateland Street and Country Road located in the SW1/4 of Section 13 and the NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 11.1 acres
LOCATION	West of Haines Avenue and north of Mallridge Subdivision
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Pennington County Zoning
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/27/2004
REVIEWED BY	Vicki L. Fisher / David L. Johnson

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall provide on-site detention as

STAFF REPORT
September 23, 2004

No. 04PL121 - Layout Plat

ITEM 24

- needed. In addition, the plat document shall be revised to provide drainage easements as necessary;
3. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
 4. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the applicant shall request in writing oversizing reimbursement from the City;
 5. Upon submittal of a Preliminary Plat application, road construction plans for Haines Avenue shall be submitted for review and approval. In particular, the road construction plans shall show Haines Avenue constructed with curb, gutter, sidewalk, street light conduit, water, sewer and a minimum 40 foot wide paved surface or a Variance to the Subdivision Regulations shall be obtained;
 6. Upon submittal of a Preliminary Plat application, road construction plans for Country Road shall be submitted for review and approval. In particular, the road construction plans shall show Country Road located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 7. Upon submittal of a Preliminary Plat application, road construction plans for Roberta Street and Kateland Street shall be submitted for review and approval. In particular, the road construction plans shall show the streets located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 8. Upon submittal of a Preliminary Plat application, road construction plans for Nace Court and Earleen Court shall be submitted for review and approval. In particular, the road construction plans shall show the streets located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the construction plans shall identify the construction of a permanent turnaround at the end of the cul-de-sacs with a minimum 110 foot diameter right-of-way and a minimum 90 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained;
 9. Upon submittal of a Preliminary Plat application, road construction plans for the section line highway or right-of-way located along the south lot line shall be submitted for review and approval. In particular, the road construction plans shall show the section line highway or right-of-way constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the section line highway or right-of-way shall be vacated. If the section line highway or right-of-way is vacated, then all of the adjacent property owners shall sign a Petition to Vacate the section line or right-of-way;
 10. Upon submittal of a Preliminary Plat application, geotechnical analysis for the pavement design shall be submitted for review and approval;
 11. A Special Exception is hereby granted to allow 43 dwelling units with one point of access

STAFF REPORT
September 23, 2004

No. 04PL121 - Layout Plat

ITEM 24

- in lieu of 40 dwelling units as per the Street Design Criteria Manual;
12. A Special Exception is hereby granted to allow roll over curb sidewalks along Roberta Street and Kateland Street in lieu of property line sidewalks as per the Street Design Criteria Manual;
 13. A Special Exception is hereby granted to allow a six foot wide utility and drainage easement along the interior side of all lot lines in lieu of eight feet as per the Street Design Criteria Manual contingent upon swales being designed along lot lines and completed with the subdivision grading prior to any building construction;
 14. A Special Exception to waive the requirement to provide temporary turnarounds at the end of Country Road, Roberta Street and Kateland Street is hereby denied;
 15. Upon submittal of a Preliminary Plat, a utility master plan shall be submitted for review and approval. In particular, the utility master plan shall provide for the extension of private utilities through the subject property as well as to adjacent properties;
 16. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 17. Upon submittal of a Preliminary Plat application, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval;
 18. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide a minimum 6,500 square feet lot size for a single family residential lot or 4,000 square feet for an individual townhome lot or an Initial and Final Planned Residential Development reducing the lot size requirement shall be reviewed and approved or a Variance to the Zoning Ordinance reducing the lot size requirement shall be obtained;
 19. Prior to submittal of a Final Plat, the plat document shall be revised to show a non-access easement along Haines Avenue, the north side of Country Road with the exception of Lot 13 and Lot 20 of Block 3 and Lot 1 of Block 4 and along all corner lots as per the Street Design Criteria Manual;
 20. Prior to submittal of a Final Plat, the plat document shall be revised to show a ten foot wide planting screen easement along Haines Avenue or a Variance to the Subdivision Regulations shall be obtained;
 21. Prior to submittal of a Final Plat application, the mobile home shall be removed from the property; and,
 22. 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 Layout Plat to subdivide approximately 11 acres into 43 single family residential and/or townhome lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water and sewer and improve pavement along Haines Avenue as it abuts the subject property. The applicant has also submitted an Initial Planned Residential Development request to allow a combination of single family residential and townhome development on the subject property. (See companion items #04SV051 and 04PD054.)

STAFF REPORT
September 23, 2004

No. 04PL121 - Layout Plat

ITEM 24

On January 5, 2004, the City Council approved a Comprehensive Plan Amendment to the Major Street Plan to relocate Country Road approximately 100 feet north of the section line highway as shown on this Layout Plat.

The property is located in the northwest corner of the Country Road/Haines Avenue intersection. Currently, a mobile home is located on the west half of the property.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or a special exception whichever is applicable.

Staff Review:

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

Drainage: Staff is recommending that upon submittal of a Preliminary Plat application, a drainage plan must be submitted for review and approval. In particular, the drainage plan must demonstrate that street flows comply with the Drainage Criteria Manual standards. In addition, adequate detention on or off the property must be provided to maintain pre-developed flows or it must be demonstrated that adequate easements and conveyance exist downstream for developed flows or an analysis to determine compliance with reasonable use principles must be submitted or a combination of these items to be submitted for review and approval. The drainage plan must also account for flows onto the site from the south. It appears that drainage facilities or easements or both may be needed.

The applicant has requested that a Special Exception be granted to allow a six foot wide utility and drainage easement in lieu of an eight foot wide utility and drainage easement along all interior lot lines. Staff has noted that the six foot easements will be sufficient if swales are designed along lot lines and completed with the subdivision grading prior to any building construction. As such, staff is recommending that the Special Exception be granted as requested with the stipulation that the swales be constructed as identified.

Lot Size: The Layout Plat identifies that the proposed lots will be a minimum of 4,800 square feet in size. The property is zoned Medium Density Residential District requiring a minimum 6,500 square feet for a single family residence and 4,000 square feet for a townhome. As such, staff is recommending that upon submittal of a Preliminary Plat application, the plat document must be revised to provide a minimum 6,500 square foot lot size for a single family residential lot or an Initial and Final Planned Residential Development must be approved reducing the lot size requirement or a Variance to the Zoning Ordinance must be obtained reducing the lot size requirement.

STAFF REPORT
September 23, 2004

No. 04PL121 - Layout Plat

ITEM 24

Forty Unit Rule: The Layout Plat identifies that Country Road will serve as exclusive access to 43 lots. 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". As such, the applicant is requesting a Special Exception to allow 43 dwelling units in lieu of 40 dwelling units with one point of access. Staff has noted that a Master Plan for the property located directly west of the subject property has been reviewed and approved by the City. The Master Plan identifies the future extension of additional sub-collector roads to the north. Upon the future platting of this adjacent property, additional streets will serve as access to the property. As such, staff is recommending that a Special Exception to allow 43 dwelling units in lieu of 40 dwelling units with one point of access be granted on a temporary basis. Upon future platting, street connections shall be required to provide a second access.

Country Road: The Layout Plat identifies Country Road located in the eastern 500 feet of a section line highway located along the south lot line of the subject property. In addition, the Layout Plat identifies Country Road extending northwest through the property approximately 100 feet north of the section line highway to the west lot line of the parcel. Country Road is identified as a collector street on the City's Major Street Plan requiring that it be located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff is recommending that upon submittal of a Preliminary Plat, road construction plans be submitted as identified or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: As previously indicated, a section line highway is located along the property boundary. The County Director of Equalization's records indicate that the applicant owns the southern 33 feet of the property lying along the section line and adjacent to the subject property. However, the Mallridge Subdivision plat states that the northern most 33 feet is a "section line right-of-way". The applicant is proposing to incorporate this 33 feet of property into this residential development. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the section line highway be submitted for review and approval. In particular, the road construction plans must show the section line highway or right-of-way constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained or the section line highway or right-of-way must be vacated. If the section line highway or right-of-way is vacated, then all of the adjacent property owners must sign a Petition to Vacate the section line or right-of-way.

Nace Court and Earleen Court: The Layout Plat identifies Nace Court and Earleen Court as cul-de-sac streets serving as access to six lots and seven lots, respectively. As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the cul-de-sac streets must be submitted for review and approval. In particular, the cul-de-sac streets must be located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. In addition, the construction plans must identify the construction of a permanent turnaround at the end of

STAFF REPORT
September 23, 2004

No. 04PL121 - Layout Plat

ITEM 24

the cul-de-sacs with a minimum 110 foot diameter right-of-way and a minimum 92 foot diameter paved surface or a Variance to the Subdivision Regulations must be obtained.

Roberta Street and Kateland Street: The Layout Plat identifies Roberta Street and Kateland Street extending north from Country Road to the north lot line of the subject property. The two streets will serve as access to ten lots and six lots, respectively. However, the applicant has indicated that the streets will be constructed as sub-collector streets since they will be extended to the north upon development of the adjacent property(s). As such, staff is recommending that upon submittal of a Preliminary Plat, road construction plans for the sub-collector streets must be submitted for review and approval. In particular, the road construction plans must show the streets located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Roll Over Curb with Curb Side Sidewalks: The applicant has indicated that property line sidewalks will be provided along Country Road. The applicant has requested a Special Exception to allow roll over curb with curb side sidewalks along the balance of the streets within the development. Nace Court and Earleen Court are classified as lane-place streets and the Street Design Criteria Manual allows roll over curb with curb side sidewalks on this street classification. In addition, staff has noted that Roberta Street and Kateland Street will function as a lane place street until such time as the adjacent property(s) develop. In addition, the classification of the two streets will only change if they serve more than 20 lots. The applicant does not own the adjacent property and, as such, is not responsible to Master Plan the future development of this site as a part of this plat review. As such, it is not know whether the two streets may continue to function as lane place streets even with the future development of the adjacent property(s). Staff has noted that the additional pavement wide of 27 feet for a sub-collector street allows for improved on-street parking and, as such, is recommending that the Special Exception to allow a roll over curb with curb side sidewalk along Roberta Street and Kateland Street be granted.

Temporary Turnarounds: The applicant has requested a Special Exception to waive the requirement to provide temporary turnarounds at the end of Country Road, Roberta Street and Kateland Street. However, the Fire Department staff has indicated that these temporary turnarounds are necessary. Staff has noted that more efficient hammerhead turnarounds and/or driveways may serve as a temporary turnaround if designed to accommodate a fire apparatus. As such, staff is recommending that the Special Exception to waive the requirement to provide temporary turnarounds be denied.

Water and Sewer: Water and sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer and water mains and service lines must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. A Utility Master Plan for this area identifies a 12 inch water main to be constructed in Country Road. As such, staff is recommending that the applicant request oversizing reimbursement from the City in writing upon submittal of a Preliminary Plat to allow the Public Works Department to budget funds for these expenses. In addition, staff is recommending that the water and sewer plans be submitted as identified upon submittal of a Preliminary Plat.

STAFF REPORT
September 23, 2004

No. 04PL121 - Layout Plat

ITEM 24

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s) or a Variance to the Subdivision Regulations. In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access. Staff is recommending that construction plans be submitted for review and approval as identified upon Preliminary Plat submittal.

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