

STAFF REPORT
August 04, 2005

No. 05SE008 - Exception to the 40 Unit Rule to allow 48 dwelling units with one point of access in Lieu of 40 dwelling units as per the Street Design Criteria Manual **ITEM 41**

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for Kensington Heights LLC
REQUEST	No. 05SE008 - Exception to the 40 Unit Rule to allow 48 dwelling units with one point of access in Lieu of 40 dwelling units as per the Street Design Criteria Manual
EXISTING LEGAL DESCRIPTION	Lot 9, Block 2, Kensington Heights Subdivision, and a portion of the E1/2 of the S1/2, Government Lot 4, located in Government Lot 4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.97 acres
LOCATION	Adjacent to the north side and the south side of Dawn Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	General Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/8/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Exception to the 40 Unit Rule to allow 48 dwelling units with one point of access in Lieu of 40 dwelling units as per the Street Design Criteria Manual be denied.

GENERAL COMMENTS: The applicant has submitted an Exception request to allow Field View Drive to serve as exclusive access to 48 dwelling units in lieu of 40 dwelling units as per the Street Design Criteria Manual.

On June 6, 2005, the City Council approved a Preliminary Plat to create 28 residential lots as Phase 3 of the Kensington Heights Subdivision. The Preliminary Plat also identified a

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connection to Enchanted Pines Drive located directly west of the subject property which provided a second point of access to the subject property. The applicant is now proposing to Final Plat Phase Three in two stages which will result in Field View Drive serving as exclusive access to 48 lots until the street connection to Enchanted Pines Drive is platted and constructed.

The property is located at the southern terminus of Field View Drive and is currently void of any structural development.

STAFF REVIEW:

Staff has reviewed the Exception request and has noted the following considerations:

Forty Unit Rule: 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". Currently, Field View Drive serves as exclusive access to 41 residential lots. As noted above, the previously approved Preliminary Plat subdividing the subject property into 28 residential lots also provided two street connections to the subject property from Field View Drive and Enchanted Pines Drive, respectively. However, the applicant is proposing to Final Plat the property in two phases which will result in Field View Drive serving as exclusive access to 48 residential lots. The Planning Commission and, subsequently, the City Council approved the associated Preliminary Plat as one phase of development. The applicant should have identified a Phasing Plan upon submittal of a Preliminary Plat if the intent was to Final Plat the property in separate phases.

In addition, 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. As such, staff is recommending that the Exception to allow 48 dwelling units with one point of access in lieu of 40 dwelling units be denied.