

STAFF REPORT  
July 27, 2006

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**No. 06PL097 - Preliminary Plat**

**ITEM 12**

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GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for Magheramore, LLC
REQUEST	<b>No. 06PL097 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	That portion of the NE1/4 lying west of the Railroad Right-of-Way; located in the N1/2 NW1/4, Section 34, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 18, Darlington Estates, formerly that portion of the NE1/4 lying west of the Railroad Right-of-Way; located in the N1/2 NW1/4, Section 34, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 100 acres
LOCATION	Southeast of the intersection of Old Folsom Road and Lamb Road
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	6/27/2006
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

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

1. Prior to City Council approval of the Preliminary Plat, a cost estimate of the subdivision improvements shall be submitted for review and approval;
2. Prior to submittal of a Final Plat application, a reserve area shall be shown or a note shall be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided;
3. Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along Lot 4 as it abuts Old Folsom Road and the first 115 feet of

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- Hidalgo Court and Kimberwick Road as they extend south from Lamb Road as per the Street Design Criteria Manual or an Exception shall be obtained;
4. Prior to submittal of a Final Plat application, the plat document shall be revised to show the section line highway relocated to Lamb Road and Old Folsom Road as approved by the Pennington County Board of Commissioners;
  5. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for street maintenance and snow removal. In particular, an agreement with Pennington County shall be submitted for review and approval indicating that the proposed street shall be accepted by Pennington County for road maintenance and snow removal; or evidence shall be submitted for review and approval that a road district has been established in accordance with SDCL 31-12A-1; or a legally binding agreement shall be submitted for review and approval by the City Council which guarantees sufficient financial commitment to provide these services;
  6. Prior to submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Old Folsom Road and Lamb Road or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s);
  7. Prior to submittal of a Final Plat application, a note shall be placed on the plat document stating that all residential structures shall be sprinklered;
  8. Prior to submittal of a Final Plat application, a note shall be placed on the plat document stating that no further platting of the lots shall be allowed as per the Exception to waive the requirement to provide visitor parking; and,
  9. Prior to submittal of a Final Plat application, "No Parking" signs shall be posted along Kimberwick Drive and Hidalgo Court or upon submittal of a Final Plat application, surety shall be posted for the improvement. In addition, inspection fees shall be paid for all of the subdivision improvements.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Plat to subdivide the subject property into 18 residential lots.

On January 19, 2004, the City Council approved a Layout Plat to subdivide the subject property into ten lots. In addition, a Variance to the Subdivision Regulations was approved in part and denied in part as follows:

- "Deny the Variance to the Subdivision Regulations to waive the requirement to install a 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer along the section line highway;
- Approve the Variance to the Subdivision Regulations to waive the requirement to pave Old Folsom Road for that portion lying adjacent to the southwest corner of proposed Lot 3 with the stipulation that a waiver of right to protest a future assessment for all improvements be provided upon Preliminary Plat application submittal; deny the Variance to the Subdivision Regulations to waive the requirement to pave the private access easement and the 52 foot wide right-of-way cul-de-sac;
- Approve the Variance to the Subdivision Regulations to provide a planting screen easement;
- Approve the Variance to the Subdivision Regulations to waive the requirement to

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install curb, gutter, sidewalk, street light conduit, sewer and water along Lamb Road, the private access easement and the 52 foot wide right-of-way cul-de-sac with the following stipulations:

- 1) Upon submittal of a Preliminary Plat, road construction plans showing the 52 foot wide right-of-way cul-de-sac being constructed with a minimum 20 foot wide paved surface shall be submitted for review and approval. In addition the bulb of the cul-de-sac shall be located within a minimum 110 foot diameter right-of-way and constructed with a minimum 92 foot wide paved surface;
- 2) Upon submittal of a Preliminary Plat, road construction plans showing the private access easement being constructed with a minimum 20 foot wide paved surface shall be submitted for review and approval; and
- 3) Upon submittal of a Preliminary Plat, the applicant shall sign a waiver of right to protest a future assessment for the curb, gutter, street light conduit, sewer and water improvements along Lamb Road, the private access easement and the 52 foot wide right-of-way cul-de-sac street”.

On September 7, 2004, the City Council approved a Preliminary Plat to subdivide the subject property into nine lots. To date, no Final Plat applications have been submitted for the subject property. However, the two internal streets have been constructed with a 20 foot wide paved surface.

On March 20, 2006, the City Council approved a revised Layout Plat to subdivide the subject property into 18 lots.

On June 19, 2006, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, water and sewer along Lamb Road, Hidalgo Court and Kimberwick Road with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvement. In addition, the City Council approved a Variance to the Subdivision Regulations to allow a lot twice as long as it is wide. The City Council also granted an Exception to reduce the separation between driveways from 35 feet to zero feet and an Exception to allow a 1,250 foot long cul-de-sac with an intermediate turnaround approximately 875 feet in lieu of a maximum 1,200 foot long cul-de-sac with an intermediate turnaround every 600 feet. In addition, the City Council granted an Exception to waive the requirement to provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence with the stipulation that the streets be posted with no parking signs and that a note be placed on the plat stating that no further platting of the lots shall be allowed.

The property is located in the southeast corner of the intersection of Old Folsom Road and Lamb Road. Currently, a utility substation and power line(s) exist along the northern portion of the property.

**STAFF REVIEW:**

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

**Signs/Plat Labeling:** As noted above, the City Council granted an Exception to waive the requirement to provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence with the stipulation that the streets be

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posted with no parking signs and that a note be placed on the plat stating that no further platting of the lots shall be allowed. As such, staff is recommending that upon submittal of a Final Plat application, the plat document be revised to include a note stating that no further platting of the lots shall be allowed as identified. In addition, "No Parking" signs must be posted along Kimberwick Drive and Hidalgo Court or upon submittal of a Final Plat application, surety must be posted for the improvement.

Water: The applicant has indicated that individual wells will serve the subject property. In addition, the applicant has submitted a well completion report for Darlington Estates demonstrating water flows. The Fire Department has indicated that the water information will provide domestic flows but is insufficient to provide adequate fire flows. As such, staff is recommending that upon submittal of a Final Plat application, a note be placed on the plat stating that all residential structures must be sprinklered.

Section Line Highway: On September 7, 2004, the County Board of Commissioners relocated a north-south section line highway located in the western portion of the subject property to Lamb Road and Old Folsom Road. Staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to show the section line highway relocated as identified.

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