

STAFF REPORT
October 26, 2006

No. 06PL132 - Layout Plat

ITEM 8

GENERAL INFORMATION:

PETITIONER	CETEC Engineering for Franklin O. Simpson
REQUEST	No. 06PL132 - Layout Plat
EXISTING LEGAL DESCRIPTION	A parcel of land in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26 and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows; Beginning at the Northwest corner of Tract B of Fountain View Subdivision as recorded in Book 29, Page 239, Said point being monumented with an Iron rod; Thence S72°10'55"W along the Right-of-Way of Harmony Heights Lane a distance of 319.49 feet to a point; Thence along the Right-of-Way of Harmony Heights Lane through a curve to the right having a radius of 229.63 feet, a distance of 3.70 feet; Thence S00°02'56"E 469.04 feet to a point on the South line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 27; Thence N89°41'23"E 114.61 feet along said South line to a point on the East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 27 monumented with an Iron rod; Thence N89°55'39" E 390.12 feet along the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 26 to a point; Thence N00°01'21"W 325.13 feet to a point; Thence S89°58'39"W 122.54 feet to a point; Thence N24°44'05"E 64.04 feet to a point on the 125 foot radius non-tangent curve of said Tract B that concaves to the Northeast; Thence along said curve to a chord intersect point N41°33'15"W at a distance of 100.51 feet; Thence N17°50'42"W 113.81' along the West line of said Tract B to the Point of Beginning
PROPOSED LEGAL DESCRIPTION	Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A and 11B of Block 3, Vacation of Public Access Easement, and dedicated public right-of-way of Fountain Springs Park Subdivision, located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.39 acres
LOCATION	Southwest of the intersection of Harmony Heights Lane and Sunny Springs Drive
EXISTING ZONING	Medium Density Residential District - General Agriculture

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District

SURROUNDING ZONING

North: Office Commercial District (Planned Development Designation) - Medium Density Residential District
South: Medium Density Residential District
East: Medium Density Residential District
West: General Agriculture District

PUBLIC UTILITIES City sewer and water

DATE OF APPLICATION 8/11/2006

REVIEWED BY Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends that the Layout Plat be continued to the **November 9, 2006 Planning Commission meeting to allow staff to review a recently submitted revised Layout Plat and Master Plan and to be heard in conjunction with an associated Variance to the Subdivision Regulations.**

GENERAL COMMENTS:

(Update, October 14, 2006. All revised and/or added text is shown in bold print.) This item was continued at the **October 5, 2006 Planning Commission meeting to allow the applicant to submit additional information. The applicant subsequently submitted a Comprehensive Plan Amendment to the Major Street Plan to relocate an arterial street along the west side of the property. In addition, on October 13, 2006, the applicant submitted a revised Layout Plat and a site plan reducing the lots to 12 townhome lots and two single family residential lots and a Master Plan showing the development of the property in three phases. The applicant also submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter and sidewalk along an access easement as it abuts the subject property. Staff is recommending that this item be continued to the November 9, 2006 Planning Commission meeting to allow staff to review the recently submitted revised Layout Plat and Master Plan and to be heard in conjunction with the associated Variance to the Subdivision Regulations.**

(Update, September 23, 2006. All revised and/or added text is shown in bold print.) This item was continued at the September 7, 2006 Planning Commission meeting to allow the applicant to submit additional information. The applicant subsequently submitted a Comprehensive Plan Amendment to the Major Street Plan to relocate two arterial streets as they extend through the subject property.

The applicant has submitted a Layout Plat to subdivide the subject property into 22 townhome lots leaving two non-transferable unplatted balances. In addition, the applicant has submitted a Variance to the Subdivision Regulations to reduce the pavement width along Sunny Springs Drive from 27 feet to 24 feet. The applicant has also submitted an Initial and Final Planned Residential Development to allow 22 townhomes to be constructed

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on the subject property. In addition, the applicant has submitted a Comprehensive Plan Amendment to the North Rapid Neighborhood Area Land Use Plan to change the land use designation from Park Forest to Medium Density Residential with a Planned Residential Development. The applicant has also submitted a Rezoning request to change the zoning designation of the subject property from General Agriculture District to Medium Density Residential District. In addition, the applicant has submitted a Planned Development Designation for the subject property. (See companion items 06SV050, 06PD061, 06CA024, 06RZ028 and 06PD062.)

The property is located southwest of the intersection of Harmony Heights Lane and Sunny Springs Drive. Currently, a single family residence is located on 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 issues that must be addressed before this item can be considered by the Planning Commission and/or the City Council. In particular, the plat document must be revised to show a minor arterial street along the south lot line and a minor arterial street extending from S. Plaza Drive across the southwest corner of the subject property as per the Major Street Plan or a Comprehensive Plan Amendment to the Major Street Plan must be obtained eliminating and/or relocating the street(s). In addition, Sunny Spring Court must be extended to the south lot line as required by the Subdivision Regulations or an alternate street connection must be provided to the south in order to ensure street and utility connectivity between properties. The Layout Plat could significantly change with the addition of these street connections. As such, staff is recommending that the Layout Plat be continued until the street networking issue is addressed.

On September 8, 2006, the applicant submitted a Comprehensive Plan Amendment to the Major Street Plan to relocate two arterial streets as they extend through the subject property. In particular, the applicant is proposing to relocate the east-west minor arterial street approximately 80 to 100 feet south of its current location on an adjacent property. However, the adjacent property is under different ownership than the subject property. In addition, the adjacent property owner has indicated that they do not support the proposed relocation as identified. Staff has also noted that there are no apparent topographic benefits to relocating the minor arterial street as proposed. The applicant is also proposing to relocate the minor arterial street approximately 120 feet west of its current location to the west lot line of an adjacent property, also owned by the applicant. The applicant has also submitted a site plan showing a revised street intersection with S. Plaza Drive which

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requires the acquisition of a portion of an adjacent property under different ownership than the subject property. The adjacent property owner has indicated that they oppose the proposed location of the minor arterial street and the potential use of any portion of their property to improve the alignment of the street to S. Plaza Drive. There are no apparent topographic constraints precluding the construction of the street in its current location as shown on the Major Street Plan.

Staff is recommending that the Comprehensive Plan Amendment to the Major Street Plan to relocate the arterial street(s) be denied. In addition, the Layout Plat has not been revised to provide a street connection through the subject property to the south lot line as previously requested. As noted above, the Layout Plat could significantly change with the addition of these street(s). As such, staff is recommending that the Layout Plat be continued to allow the applicant to revise the Layout Plat providing a street connection to the south lot line of the subject property and to comply with the Major Street Plan.