

STAFF REPORT  
November 9, 2006

**No. 06PL132 - Layout Plat**

**ITEM 15**

GENERAL INFORMATION:

PETITIONER	CETEC Engineering for Franklin O. Simpson
REQUEST	<b>No. 06PL132 - Layout Plat</b>
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 **approved with the following stipulations:**

1. **Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures;**
2. **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;**
3. **Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Deadwood Avenue Drainage Basin Design Plan shall be submitted for review and approval. In particular, the drainage plan shall include calculations demonstrating that developed flows from the site do not exceed pre-developed flows. In addition, the plat document shall be revised to provide drainage easements as necessary;**
4. **Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval;**
5. **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. In addition, the plat document shall also be revised to provide utility easements as needed;**
6. **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 water plans shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements as needed;**
7. **Upon submittal of a Preliminary Plat application, the plat document shall be**

- revised to show the minor arterial street in the southwest corner of the subject property as per the Major Street Plan. In addition, road construction plans for the minor arterial street shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Comprehensive Plan Amendment to the Major Street Plan shall be obtained to relocate and/or eliminate the street;
8. Upon submittal of a Preliminary Plat, the plat document shall be revised to show the existing access easement located along the west lot line of the subject property. In addition, road construction plans for the access easement shall be submitted for review and approval showing curb, gutter and sidewalk along the west side of the street or a Variance to the Subdivision Regulations shall be obtained;
  9. Upon submittal of a Preliminary Plat application, road construction plans for the internal street shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 49 foot wide 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, a fire apparatus turnaround shall be provided at the end of the street;
  10. Upon submittal of a Preliminary Plat application, road construction plans for the proposed 50 foot wide access easement shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 49 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer with on-street parking or the street shall be located in a minimum 45 foot wide right-of-way and/or easement and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer with no on-street parking or a Variance to the Subdivision Regulations shall be obtained. If on-street parking is not provided, the developer shall provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs or an Exception to the Street Design Criteria Manual shall be obtained. In addition, a fire apparatus turnaround shall be provided at the end of the street;
  11. Upon submittal of the 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 or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained. In addition, the International Fire Code shall be continually met;
  12. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  13. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show non-access easements as per the Street Design Criteria Manual;
  14. Prior to submittal of a Final Plat application, the applicant shall submit a street name for the proposed internal street to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to

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- show the approved street names;
15. **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; and,**
  16. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**

GENERAL COMMENTS:

**(Update, October 30, 2006. All revised and/or added text is shown in bold print.) This item was continued at the October 26, 2006 Planning Commission meeting to allow staff to review a revised Layout Plat and Master Plan and to be heard in conjunction with the associated Variance to the Subdivision Regulations. (See companion items 06PD061 and 06SV067.)**

(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 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 revised Layout Plat and revised site plan for the Initial and Final Residential Development Plan identifies 12 townhome lots and two single**

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**family residential lots in lieu of 22 townhome lots as originally proposed. In addition, the applicant has submitted a Phasing Plan showing the property being developed in three phases in lieu of one phase.**

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 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.

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

**Sewer:** Sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines must be submitted for review and approval. Upon submittal of a Preliminary Plat application, the construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. The plat document must also be revised to provide utility easements as needed.

**Water:** Water plans prepared by a Registered Professional Engineer showing the extension of water mains in compliance with the adopted report must be submitted for review and approval. In addition, the water system plans must demonstrate that adequate fire and domestic flows are being provided. Upon submittal of a Preliminary Plat application, the construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. The plat document must also be revised to provide utility easements as needed.

**Drainage:** As part of the Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. In addition, a drainage plan must be submitted for review and approval. In particular, the drainage plan must show the design of drainage swales, ditches and storm sewers sized in compliance with the Deadwood Avenue Drainage Basin Design Plan and the Drainage Criteria Manual. In particular, the drainage plan must include calculations demonstrating that developed flows from the site do not exceed pre-developed flows or on-site detention must be provided. In addition, the plat document must be revised to provide drainage easements as needed.

**Geotechnical Report:** A geotechnical report including pavement design must be submitted for review and approval. In addition, the geotechnical report must include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information must be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections must be provided as needed for buried water system metal fixtures.

**Comprehensive Plan Amendment:** The Major Street Plan identifies a north-south minor arterial street extending from the southwest corner of the Layout Plat to S. Plaza

Drive. As such, staff is recommending that upon submittal of a Preliminary Plat application, the plat document be revised to show the minor arterial. In addition, road construction plans for the minor arterial street must be submitted for review and approval. In particular, the road construction plans must show the street located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Comprehensive Plan Amendment to the Major Street Plan must be obtained to relocate and/or eliminate the street. (Please note that the applicant has submitted a Comprehensive Plan Amendment to the Major Street Plan as identified. See companion file #06CA036.)

**Access Street:** The Layout Plat identifies a street extending south from Harmony Heights Lane to serve as access to the subject property. The street is classified as a lane place street. Staff is recommending that upon submittal of a Preliminary Plat, construction plans be submitted for review and approval showing the street located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit and water or a Variance to the Subdivision Regulations must be obtained. In addition, a fire apparatus turnaround must be provided at the end of the street.

**Proposed Access Easement:** The Layout Plat identifies a proposed access easement to serve Lots 4 and 5. The access easement is classified as a lane place street. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the proposed access easement be submitted for review and approval. In particular, the construction plans must show the street located in a minimum 49 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer with on-street parking or the street must be located in a minimum 45 foot wide right-of-way and/or easement and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer with no on-street parking or a Variance to the Subdivision Regulations must be obtained. If on-street parking is not provided, the developer must provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs or an Exception to the Street Design Criteria Manual must be obtained. In addition, a fire apparatus turnaround must be provided at the end of the street.

**Existing Access Easement:** An existing access easement is located along the eastern lot line of the Layout Plat and serves as access to the adjacent apartment complex and the single family residence located on the unplatted balance of this parcel that will be left as a result of this plat. The street is classified as a lane place street and has been constructed with a 20 foot wide paved surface, street light conduit, sewer and water. In addition, curb, gutter and sidewalk have been constructed along one side of the street. Staff is recommending that upon submittal of a Preliminary Plat, the plat document be revised to show the existing access easement. In addition, road construction plans for the access easement must be submitted for review and approval showing curb, gutter and sidewalk along the west side of the street or a Variance to the Subdivision Regulations must be obtained. (Please note that the

applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter and sidewalk as identified. See companion item #06SV067.)

**Fire Department:** The Fire Department has indicated that all streets and turnarounds must be designed and constructed in compliance with the Street Design Criteria Manual and the Uniform Fire Code. In addition, fire hydrants must be in place and operational prior to any building construction. The Fire Department has also indicated that street signs and lot addresses must be posted prior to or in conjunction with any building construction. The International Fire Code will need to be continually met.

**Emergency Services Communication Center:** The Emergency Services Communication Center has indicated that a street name for the internal street must be submitted for review and approval. In addition, the plat document must be revised to show the approved street name.

**Warranty Surety:** On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

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