

STAFF REPORT  
May 27, 2004

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**No. 04PL023 - Preliminary Plat**

**ITEM 23**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers, Inc. for Dan O'Brien
REQUEST	<b>No. 04PL023 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	All of Lot 3, all of Lot DE1 of Lot 3A and a portion of Lot 3A of Fairway Hills P.R.D., and a portion of the unplatted portion of the NW1/4 SW1/4 of Section 15, T1N, R7E, BHM of Fairway Hills P.R.D. all located in the W1/4 of Section 15, T1N,R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 through 16 inclusive and Drainage Lot A of Block 10 of Fairway Hills P.R.D. and dedicated right-of-way all located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.0 acres
LOCATION	Along Sheridan Lake Road, Heidiway Lane and Fairway Hills Drive
EXISTING ZONING	Medium Density Residential w/PRD
SURROUNDING ZONING	
North:	Medium Density Residential W/PRD
South:	Low Density Residential District
East:	Medium Density Residential w/PRD
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	02/27/2004
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the existing twenty foot wide permanent utility easement for the high pressure main. In addition, the plat document shall show the vacation and/or relocation of the easement as needed;
2. Prior to Preliminary Plat approval by the City Council, a pavement design with supporting

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- geotechnical information shall be submitted for review and approval.
3. Prior to Preliminary Plat approval by the City Council, the construction plans shall be revised to include street light conduit or a Variance to the Subdivision Regulations shall be obtained;
  4. Prior to Preliminary Plat approval by the City Council, the construction plans shall be revised to show the bulb of the two cul-de-sacs posted with "No Parking" signs;
  5. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Engineering Division;
  6. Prior to Preliminary Plat approval by the City Council, a Major Amendment to the Fairway Hills Planned Residential Development shall be obtained to allow a townhome development in lieu of the previously approved garden homes development;
  7. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the dedication of additional right-of-way along Sheridan Lake Road from 14 feet to two feet as needed to provide the minimum required right-of-way for a principal arterial street or a Variance to the Subdivision Regulations shall be obtained;
  8. Upon submittal of the Final Plat, the plat document shall be revised to show a non-access easement along Fairway Hills Drive, Heidiway Lane and all corner lots as per the Street Design Criteria Manual or a Special Exception shall be obtained;
  9. A Special Exception is hereby granted to allow curb side sidewalks in lieu of property line sidewalks as per the Street Design Criteria Manual;
  10. A Special Exception to allow individual residential water shut-offs within the front eight foot wide utility and minor drainage easement is hereby denied;
  11. Upon submittal of the Final Plat, the plat document shall be revised to show the north-south street either as Carmel Crest or Carmel Point;
  12. Upon submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid;
  13. All Uniform Fire Code shall be continually met;
  14. Prior to the start of any construction within the area of the property located within the 100 year federally designated floodplain, a Letter of Map Revision shall be obtained from the Federal Emergency Management Agency. In addition, a Floodplain Development Permit shall be obtained as necessary;
  15. Prior to submittal of a Final Plat, the applicant shall enter into an agreement with the City for the reimbursement of the Heidiway Lane sanitary sewer extension project; and,
  16. Prior to submittal of a Final Plat, the applicant shall enter into a cost sharing agreement with the City for necessary off-site water extensions to help extend the capacity of the existing Southwest Pressure Zone System if this zone is needed to serve the development.

**GENERAL COMMENTS:**

**(Update May 14, 2004) This item was continued at the May 6, 2004 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been revised.**

(Update April 25, 2004) This item was continued at the April 22, 2004 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has

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been revised.

(This Staff Report was revised on April 9, 2004. All revised and/or added text is shown in bold text.) This item was continued at the April 8, 2004 Planning Commission meeting at the applicant's request. The applicant has submitted a Preliminary Plat to create 16 residential Lots. The applicant has indicated that the lots will eventually be replatted into 32 townhome lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install street light conduit and to waive the requirement to dedicate additional right-of-way along Sheridan Lake Road. The applicant has also submitted a Major Amendment to the Fairway Hills Planned Residential Development to allow a townhome development in lieu of a garden home development. Lastly, the applicant has submitted a Fence Height Variance to allow an eight foot high fence in the front yard setback along Sheridan Lake Road. (See companion items #04SV016, 04PD018 and 04FV002.)

On October 6, 2003, the City Council approved a Layout Plat to subdivide the subject property as identified on this Preliminary Plat.

The property is located east of the intersection of Heidiway Lane and Sheridan Lake Road and is a part of the Fairway Hills Planned Residential Development. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Fairway Hills Planned Residential Development: The subject property is located within the Fairway Hills Planned Residential Development. The approved use of the property is identified as "garden homes". The applicant has indicated that the use of the property is being proposed as a "townhome development". The Fairway Hills Planned Residential Development currently allows 54 garden homes to be constructed on the subject property. The applicant is proposing to construct 33 townhomes resulting in a reduction of 21 dwelling units. Staff is recommending that prior to Preliminary Plat approval by the City Council, the Major Amendment to the Planned Residential Development be approved.

Sewer: Two sewer mains are being extended through the subject property to serve six residential lots located on the west side of Sheridan Lake Road as a part of an assessment project. One of the mains is required to be constructed as a part of this plat action. As such, the applicant has indicated that he will pay the cost of constructing the most northern sewer main. Staff is recommending that prior to submittal of a Final Plat, the applicant enter into an agreement with the City for the reimbursement of the Heidiway Lane sanitary sewer extension project for the southern sewer main.

Sidewalks: The applicant has requested a Special Exception to allow curb side sidewalks in lieu of property line sidewalks as per the Street Design Criteria Manual. The construction plans show Fairway Hills and Heidiway Lane located in 60 foot wide right-of-ways in lieu of the 52 foot wide right-of-way as per the Street Design Criteria Manual. The additional right-of-way allows for on-street parking within the development, and, as such, staff is recommending

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that the Special Exception be granted as requested.

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. Staff is recommending that the Uniform Fire Code be continually met.

Street Light Conduit: The construction plans must be revised to include street light conduit along all of the interior street. Staff is recommending that the construction plans be revised as identified prior to City Council approval of the Preliminary Plat or a Variance to the Subdivision Regulations must be obtained.

Water Shut-offs: The applicant has requested a Special Exception to allow individual residential water shut-offs within the front eight foot wide utility and minor drainage easement in lieu of the right-of-way. However, maintenance of water shut-offs on private property may result in having to replace landscaping or driveway surface(s) and, as such, staff is recommending that the Special Exception as requested be denied.

Non-access Easement: The plat document must be revised to show a non-access easement along Fairway Hills Drive, Heidiway Lane and all corner lots as per the Street Design Criteria Manual Staff is recommending that the plat document be revised as identified prior to Preliminary Plat approval by the City Council.

Sheridan Lake Road: Sheridan Lake Road is located along the west lot line of the subject property and is classified as a principal arterial street on the City's Major Street Plan requiring a minimum 100 foot wide right-of-way. Currently, Sheridan Lake Road is located within a 72 foot wide right-of-way. As such, the plat document must be revised to show the dedication of 14 additional feet along Sheridan Lake Road prior to Preliminary Plat approval by the City Council or a Variance to the Subdivision Regulations must be obtained.

Staff met with the applicant on April 1, 2004 to discuss the requirement to dedicate additional right-of-way along Sheridan Lake Road. It was identified at the meeting that the existing Sheridan Lake Road right-of-way as it abuts the subject property varies from 72 feet to approximately 96 feet. As such, the right-of-way to be dedicated from the subject property will also vary from 14 feet along the northern portion of the property to two feet along the southern portion of the property. A staff site inspection identified that the existing grade of the subject property slopes down from Sheridan Lake Road into the site. As such, staff is recommending that the associated Fence Height Exception be approved to allow an eight foot high fence outside of the right-of-way in order to provide privacy for the proposed townhome development.

Floodplain: A portion of the subject property is located within the 100 year federally designated floodplain. Prior to the start of any construction and/or grading within this area of the property, a Letter of Map Revision must be obtained from the Federal Emergency Management Agency. In addition, a Floodplain Development Permit must be obtained as

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necessary.

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