

STAFF REPORT

July 10, 2003

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**No. 03PL072 - Layout Plat**

**ITEM 35**

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GENERAL INFORMATION:

|                               |   |
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| PETITIONER                    | Centerline, Inc. for Lazy P-6 Properties, LLC   |
| REQUEST                       | <b>No. 03PL072 - Layout Plat</b>  |
| EXISTING<br>LEGAL DESCRIPTION | NW1/4 NW1/4 NW1/4 of Section 19, T1N, R8E, BHM,<br>Rapid City, Pennington County, South Dakota                        |
| PROPOSED<br>LEGAL DESCRIPTION | Lots 1 of Block 1, Lazy P-6 Subdivision, Section 19, T1N,<br>R8E, BHM, Rapid City, Pennington County, South<br>Dakota |
| PARCEL ACREAGE                | Approximately 10 acres  |
| LOCATION                      | In the southeast quadrant of the current Parkview Drive<br>terminus   |
| EXISTING ZONING               | Low Density Residential II District   |
| SURROUNDING ZONING            |   |
| North:                        | General Agriculture District  |
| South:                        | County  |
| East:                         | General Agriculture District  |
| West:                         | General Agriculture District  |
| PUBLIC UTILITIES              | To be extended  |
| DATE OF APPLICATION           | 06/13/2003  |
| REPORT BY                     | Vicki L. Fisher   |

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Upon submittal of a Preliminary Plat, a grading plan and geotechnical information shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat, a field topographic survey shall be submitted for review and approval;
3. Upon submittal of a Preliminary Plat, a drainage plan shall be submitted for review and approval. In particular, any off-site interim detention improvements to be located on the balance of the applicant's property as shown on the Master Plan shall be identified. In addition, the plat shall be revised to show drainage easements as needed;

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4. Upon submittal of a Preliminary Plat, 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. In addition, the applicant shall delineate the proposed service boundaries for the sewer extension;
5. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval. In addition, the applicant shall delineate the proposed service boundaries for the water extension;
6. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, complete street design plans shall be submitted showing the location of utilities, storm drainage, curb and gutter and sidewalk improvements for all adjacent and interior roadways. In addition, the construction plans shall show a temporary turnaround at the eastern terminus of the Local Road located south of the subject property and at the intersection of the Local Road and Parkview Drive;
7. Upon submittal of the Preliminary Plat, the plat document shall be revised to show the dedication of the west half of the rights-of-way for Parkview Drive and Fifth Street located on an adjacent property(s) or the west half of the rights-of-way shall be dedicated as a part of a separate platting proposal. Either way, the entire rights-of-way for Parkview Drive and Fifth Street shall be dedicated at the same time or a Variance to the Subdivision Regulations shall be obtained to allow platting half a right-of-way;
8. Upon submittal of the Preliminary Plat, road construction plans showing the proposed road to be located along the south lot line of the subject property as a local street shall be submitted for review and approval. In addition, the road construction plans shall show a temporary turnaround at the eastern terminus of the local street and at the intersection of the local street and Parkview Drive;
9. Prior to Preliminary Plat approval by the City Council, the section line highway located along the north lot line shall be improved to City Street Design standards or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated;
10. Prior to Final Plat approval by the City Council, the plat document shall be revised to provide an additional five feet of right-of-way for the section line highway located along the north lot line or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show the dedication of the north half of the right-of-way for the section line highway located on an adjacent property or the north half of the right-of-way shall be dedicated as a part of a separate platting proposal. Either way, the entire right-of-way for the section line highway shall be dedicated at the same time or a Variance to the Subdivision Regulations shall be obtained to allow platting half a right-of-way;
11. Prior to Final Plat approval by the City Council, a non-access easement shall be shown along the perimeter of Lot 1, Block 1 except for approved approach locations. In particular, access shall be taken from the lesser order street or a Special Exception to the Street Design Criteria Manual shall be obtained;
12. Upon submittal of the Preliminary Plat, a phasing schedule for the balance of the Master Plan shall be submitted for review and approval. In addition, the Master Plan shall be

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revised to show access to all lots located within the Low Density Residential II District. The Master Plan shall also provide a road connection to the property located north of the subject property;

13. The Special Exception to allow more than 40 dwelling units with one point of access is hereby denied;

Fire Department Recommendations:

14. Upon submittal of the Preliminary Plat, 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

Emergency Services Communication Center Recommendation:

15. Upon submittal of the Preliminary Plat, a plat document showing road names shall be submitted for review and approval;

South Dakota Department of Transportation Recommendation:

16. Prior to Final Plat approval by the City Council, an approach permit for the Fifth Street approach onto Catron Boulevard must be obtained;

Urban Planning Division Recommendations:

17. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
18. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to create a ten acre parcel as a multi-family development site. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to improve a section line highway located along the north lot line of the subject property. The applicant has also submitted a SDCL 11-6-19 Review to allow the construction of two streets, Parkview Drive and Fifth Street, in a section line highway located along the west lot line. (See companion items #03SR035 and 03SV024.)

On March 3, 2003, the City Council approved a Layout Plat to create 23 commercial lots on property located south of the subject property also owned by the applicant. In addition, the City approved a Master Plan on an additional forty acres located directly north of the Layout Plat that included the subject property.

On December 2, 2002 the City Council denied without prejudice Layout Plat #02PL052 to subdivide the subject property into twenty commercial lots. The subject property is located in the northeast corner of the intersection of Catron Boulevard and the proposed right-of-way location for the future extension of Fifth Street. The property is currently void of any structural development.

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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 that is provided. All specific details of the subdivision may not be addressed at the Layout Plat 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 City Code or the Street Design Criteria Manual require a formal variance request or a special exception, whichever is applicable.

**STAFF REVIEW:**

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

**Road Issues:** The Layout Plat identifies platting half a right-of-way for Parkview Drive located along the west lot line of the subject property. Platting half the right-of-way and utilizing an existing section line highway results in the platting of a half street. Chapter 16.12.050 of the Rapid City Municipal Code states that "...No new half-street shall be permitted". As such, staff is recommending that the west half of the right-of-way located on an adjacent property be dedicated either as a part of the Preliminary and Final Plat for this proposed development or as a part of a separate platting proposal. Either way, the right-of-way for the entire road must be dedicated at the same time or a Variance to the Subdivision Regulations must be obtained.

The Layout Plat identified a local street to be located along the south lot line of the subject property. The local street extends east from the proposed southern terminus of Parkview Drive and is shown as future access to additional residential lots to be subdivided east of the subject property as a future phase of this development. The Engineering Division has indicated that the construction plans must show a temporary turnaround at the eastern terminus of the local street and at the intersection of the local street and Parkview Drive.

The Layout Plat also identifies the construction of Fifth Street extending north from Catron Boulevard for a distance of 570 feet located within a section line highway. Platting half the right-of-way and utilizing an existing section line highway results in the platting of a half street. As such, staff is recommending that the west half of the right-of-way located on an adjacent property be dedicated either as a part of the Preliminary and Final Plat for this proposed development or as a part of a separate platting proposal. Either way, the right-of-way for the entire road must be dedicated at the same time or a Variance to the Subdivision Regulations must be obtained. The proposed approach location for Fifth Street on to Catron Boulevard is in compliance with the City's approved construction plans for Fifth Street, the Major Street Plan and the South Robbinsdale Corridor Study. The South Dakota Department of Transportation has also indicated that prior to Final Plat approval, on approach permit must be obtained.

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Section Line: An east-west section line highway is located along the north lot line of the subject property. On February 7, 2000 the City Council approved Layout Plat #99PL115 for Stoneridge Subdivision, a 32 residential development. The Layout Plat identifies a collector road to be constructed in the section line highway located along the north lot line. In addition, the Major Street Plan identifies the future location of a collector road within the section line highway. A collector road requires a minimum 76 foot wide right-of-way with a 40 foot wide paved surface. As such, an additional five foot of right-of-way must be dedicated from the subject property in order to provide the minimum right-of-way width for a collector road. The north half of the section line highway is located on an adjacent property under different ownership from the subject property. As previously indicated, the Subdivision Regulations states that "...where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half shall be platted. No new half-streets shall be permitted". As such, the adjacent property owner must participate in the platting of the north half of the section line right-of-way or a Variance to the Subdivision Regulations must be obtained to allow platting half a right-of-way. The applicant also has the option of vacating the section line highway. Staff is recommending that the plat document be revised to dedicate the additional right-of-way and that the section line issues be addressed as identified.

Water and Sewer: The Engineering Division has indicated that the water and sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer and water mains and service lines be submitted for review and approval. In addition, the applicant must delineate the proposed service boundaries for the water and sewer extension. Staff is recommending that the water and sewer plans as well as the service boundaries be submitted for review and approval upon submittal of the Preliminary Plat.

Drainage: The Engineering Division has indicated that a drainage plan must be submitted for review and approval. In particular, any off-site interim detention improvements to be located on the balance of the applicant's property as shown on the Master Plan must be identified. Staff is recommending that upon submittal of a Preliminary Plat, a drainage plan be submitted for review and approval as identified and that the plat document identify drainage easements as needed.

Fire Department: The Fire Department has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access. As previously indicated, any on-site water system must meet fire flow protection including water storage if necessary. Staff is recommending that the construction plans be submitted for review and approval as identified upon Preliminary Plat submittal.

Zoning: The property is currently zoned General Agriculture District. The South Robbinsdale Neighborhood Future Land Use Plan identifies the appropriate use of the subject property as Low Density Residential II District. Prior to any residential development of the site, the subject property must be rezoned as identified on the South Robbinsdale Neighborhood

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Future Land Use Plan. The Layout Plat identifies the future use of the property as a 72 unit cluster housing development with two, four and six unit clusters requiring that an Initial and Final Planned Residential Development be reviewed and approved prior to any structural development on the site as proposed. The Zoning Ordinance states that Planned Residential Developments located in a Low Density Residential II District "may have no more than thirty percent of the total permitted number of dwelling units (as) multiple-family dwellings". As such, a total of 21 units will be allowed as four and/or six unit clusters. The balance of the proposed units must be two unit clusters.

Special Exception: 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". Parkview Drive extending south from Minnesota Street will serve as exclusive legal access to the subject property. As such, the applicant is requesting a Special Exception to allow Parkview Drive to serve as access to this proposed 72 multi-family dwelling unit development and six existing properties currently located along Parkview Drive.

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.

The City Council recently approved a Special Exception request to allow 69 dwelling units with one point of access from Alta Vista Street for the West Hills Village multi-family residential development and the Minnesota Ridge Subdivision. The applicant proposed the use of one point of access to the property on a temporary basis until a second access could be extended. However, due to the safety issues relative to allowing more than 40 dwelling units with one point of access, staff recommends that the Special Exception as requested be denied.

Plat Labeling: The Emergency Services Communication Center has indicated that street names must be submitted for review and approval. In addition, the Register of Deed's Office has indicated that a plat document must be submitted for review and approval. Staff is recommending that road names and a plat document be submitted as identified upon submittal of the Preliminary Plat.

Master Plan: The applicant has not requested that the balance of the eighty acres shown on the Layout Plat be reviewed. However, the proposed lot configurations and road layout(s) serve as a Master Plan for the balance of the property. As such, staff has noted that six lots located within the Low Density Residential II District do not have legal access. In addition, a road connection to the property located north of the subject property has not been shown. Staff is recommending that upon submittal of the Preliminary Plat, a phasing schedule for

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the balance of the Master Plan be submitted for review and approval. In particular, the road connection to the north and access to all lots must be identified.

Staff believes the proposed plat generally complies with all applicable zoning and subdivision regulations assuming compliance with the stated stipulations.