

STAFF REPORT

February 5, 2004

No. 04PL001 - Layout and Preliminary Plat

ITEM 3

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Jim Scull
REQUEST	No. 04PL001 - Layout and Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of Lot B of Government Lot 4 located in the SW1/4 of the SW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 14 of Block 1, Lots 1 thru 6 of Block 2, and Lot 1 of Block 3, Kennsington Heights Subdivision, located in the SW1/4 of the SW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.163 acres
LOCATION	West of the future intersection to Elm Avenue and Field View Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	Low Density Residential District/General Agriculture District
West:	Public District/General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	01/06/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Preliminary Plat be withdrawn at the applicant's request and that the Layout Plat be approved with stipulations:

1. Upon submittal of a Preliminary Plat application, Elm Avenue right-of-way shall be dedicated either as a part of the Preliminary Plat for the subject property or on a separate Preliminary and Final Plat proposal or as an H Lot. The right-of-way shall extend from its current southern terminus along the subject property to the south lot line of the adjacent

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- property located directly east of the subject property. In addition, road construction plans for Elm Avenue shall be submitted for review and approval. In particular, Elm Avenue shall be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 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, the construction plans shall show an eight foot wide bike path located along the east side of Elm Avenue as per the South Robbinsdale Neighborhood Area Future Land Use Plan;
2. Upon submittal of a Preliminary Plat application, a Master Utility Plan shall be submitted for review and approval. In particular, the Master Utility Plan shall show a water connection to the southwest corner of the subject property;
 3. Upon submittal of a Preliminary Plat application, additional drainage information shall be submitted for review and approval. In particular, the drainage information shall demonstrate that adequate capacity exists in the channel located north of the subject property to carry the storm run-off from the developed subdivision;
 4. Upon submittal of a Preliminary Plat application, necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawing shall be returned to the Engineering Division;
 5. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Elm Avenue;
 6. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along Elm Avenue, Field View Drive and along the corner lots as per the Street Design Criteria Manual. In addition, access shall be taken from the lesser order street or a Special Exception to the Street Design Criteria Manual shall be obtained;
 7. Prior to Preliminary Plat approval by the City Council, a Special Exception shall be obtained to allow 159 dwelling units in lieu of 40 dwelling units with one point of access or the plat document shall be revised to comply accordingly;
 8. Prior to Preliminary Plat approval by the City Council, a Special Exception to reduce the separation between intersections from 125 feet to 90 feet as per the Street Design Criteria Manual shall be obtained or the plat document shall be revised to comply accordingly;
 9. Upon submittal of a Preliminary Plat application, a subdivision estimate form shall be submitted for review and approval;
 10. 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,
 11. Prior to Preliminary Plat approval by the City Council, a different street name for Craig Court shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street name.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to subdivide a 14.61 acre parcel into 21 residential lots leaving an approximate ten acre non-transferable balance. In addition, the applicant has submitted a Master Plan showing the future platting of a portion of the non-

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transferable balance into 21 additional residential lots leaving approximately four acres as a non-transferable balance. Currently, a single family residence and a pole barn are located on the four acre non-transferable balance.

In 2001, the City Council denied without prejudice at the applicant's request a Layout Plat proposing to subdivide the 14.61 acre parcel into 42 residential lots leaving a non-transferable balance. That proposal was similar to the applicant's Master Plan submitted with this request. At that time, the applicant was unable to obtain right-of-way for the extension of Elm Avenue which was identified as the sole legal and physical access to the subject property.

Upon review of the Layout and Preliminary Plat, staff noted that the right-of-way for Elm Avenue, as it abuts the subject property, has not been dedicated and/or constructed. As such, neither legal nor physical access is currently being provided to the subject property. The applicant's consultant has indicated that they are negotiating the dedication of the Elm Avenue right-of-way with the adjacent property owner and has, subsequently, requested that the Preliminary Plat be withdrawn until the right-of-way has been obtained and construction plans for the street improvement completed. A Preliminary Plat will be submitted for future review and approval once the right-of-way has been obtained and construction plans completed as identified.

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 the following considerations:

Elm Avenue: Elm Avenue abuts the subject property along the east lot line and is classified as a minor arterial street on the City's Major Street Plan. A minor arterial street requires that it be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, street light sidewalk, sidewalk, water and sewer. The Layout Plat identifies Elm Avenue with an 80 foot wide right-of-way. Construction Plans for Elm Avenue have not been submitted as a part of this plat application. Upon submittal of a Preliminary Plat application, the plat document must be revised to show the dedication of an additional ten feet of right-of-way for Elm Avenue and construction plans for the street must be submitted for review and approval as identified above or a Variance to the Subdivision

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Regulations must be obtained. In addition, the right-of-way must extend from its current southern terminus along the subject property to the south lot line of the adjacent property located directly east of the subject property. This will prevent a 20 foot gap in the Elm Avenue right-of-way between the two adjacent properties located directly east of the subject property. In addition, the construction plans must show an eight foot wide bike path located along the east side of Elm Avenue as per the South Robbinsdale Neighborhood Area Future Land Use Plan.

Elm Avenue located north of the subject property is currently located within an 80 foot wide right-of-way and constructed with a 24 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer meeting the minimum requirements of a collector street. However, in July, 2000 Elm Avenue was re-classified as a minor arterial street due to future traffic projections along this portion of the street. As such, the construction plans for Elm Avenue as it abuts the subject property must show the transition from a 24 foot wide paved surface to a 36 foot wide paved surface. Staff is recommending that the dedication of Elm Avenue and road construction plans be submitted for review and approval upon submittal of a Preliminary Plat or as a part of a separate Preliminary and Final Plat application or as an H Lot.

The Master Plan showing Phase Two of the proposed development identifies the gradual curvature of Elm Avenue placing the street on the common lot line between the applicant's property and the adjacent property owner. The applicant must continue to coordinate the actual location and dedication of right-of-way for the street with the adjacent property owner prior to submittal of a Preliminary Plat for Phase Two of the development.

Davin Drive: The Layout Plat shows Davin Drive extending south from Field View Drive. The intersection of Davin Drive and Field View Drive is located 90 feet west of the Field View Drive/Elm Avenue intersection. The Street Design Criteria Manual requires a minimum separation of 125 feet between the two intersections. As such, the plat must be revised to meet the separation requirement or a Special Exception to reduce the separation from 125 feet to 90 feet as per the Street Design Criteria Manual must be obtained. Staff is recommending that that prior to Preliminary Plat approval, the plat document be revised as identified or a Special Exception be obtained.

Forty Dwelling Units: Currently, Elm Avenue serves as exclusive access to 138 dwelling units. The proposed plat will result in 159 dwelling units with one exclusive point of access. 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". Prior to Preliminary Plat approval, a Special Exception must be obtained to allow 159 dwelling units in lieu of 40 dwelling units with one point of access or a second access must be provided to the development.

Utilities: The applicant has submitted construction plans for the extension of water and sewer to serve the proposed development. Staff is recommending that changes be made to the

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construction plans as identified on the red lined drawings. In addition, the red lined drawings must be returned to the Growth Management Department. A Master Utility Plan must also be submitted for review and approval. In particular, the Master Utility Plan must show a water connection to the southwest corner of the subject property. Staff is recommending that a Master Utility Plan and revised construction plans as well as the red lined drawings be submitted for review and approval upon submittal of a Preliminary Plat.

The construction plans also identify that the proposed subdivision will initially be served from the City's low level water service zone. Due to the topography and infrastructure of the area, a Utility Master Plan identifies that the subdivision will ultimately be served from the Robbinsdale Water Service Zone upon full development of the area. The elevation of the proposed subdivision will result in static pressure of 120 psi. City Design Specifications require pressure reducing valves be installed at service locations with pressure over 80 psi. Therefore, pressure reducing valves will be required and must be identified as a part of building permit(s) issued for each individual residential structure at the time of construction.

Drainage: Staff has indicated that additional drainage information must be submitted for review and approval. In particular, the drainage information must demonstrate that adequate capacity exists in the channel located north of the subject property to carry the storm run-off from the developed subdivision. Staff is recommending that the drainage information be submitted for review and approval upon submittal of a Preliminary Plat.

Lot Configuration: Lot 1 of Block 3 is bordered on three sides by right-of-way requiring a 25 foot setback from each street. As such, a significantly smaller building envelope exists on this lot than adjacent properties. The applicant may want to increase the size of Lot 1 to insure that a sufficient building envelope exists on the property.

Well Lot: The Master Plan identifies that in Phase Two of the development, two residential lots will be platted over an existing 60 foot wide utility access easement and a well lot. Upon Preliminary Plat submittal of Phase Two, the utility easement must be constructed to City street design standards with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. Since the easement and well lot preclude structural development on these two lots, it appears that the applicant is proposing to vacate the utility access easement and abandon the well. The applicant should be aware that the well lot and utility access easement must be addressed as a part of Phase Two of the development.

Plat Labeling: The Emergency Services Communication Center has indicated that Craig Street currently exists within Pennington County. As such, a different street name must be submitted for review and approval. Staff is recommending that a different street name be submitted for review and approval and the plat document be revised accordingly prior to Preliminary Plat approval by the City Council.

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