

STAFF REPORT
September 23, 2004

No. 04PL120 - Layout Plat

ITEM 2

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Jim Scull
REQUEST	No. 04PL120 - Layout Plat
EXISTING LEGAL DESCRIPTION	A portion of Lot B of the N1/2 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 15-17 of Block 1, Lots 17-19 of Block 2, and Lots 2-6 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 10 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:	General Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/27/2004
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, additional drainage information shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as needed;
2. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of the northern 260 feet of Elm Avenue and the west half of Elm Avenue located on adjacent properties or the rights-of-way shall be dedicated as a part of separate plat actions or as a "H Lots" ;
3. Upon submittal of a Preliminary Plat application, a grading plan shall be submitted for

STAFF REPORT
September 23, 2004

No. 04PL120 - Layout Plat

ITEM 2

- review and approval;
4. 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;
 5. 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;
 6. Upon submittal of a Preliminary Plat application, a utility master plan shall be submitted for review and approval. In particular, the utility master plan shall provide for the extension of private utilities through the subject property as well as to adjacent properties;
 7. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide a ten foot wide pedestrian access and utility easement along Elm Avenue as it abuts the subject property;
 8. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide access to "future Lot 10" or right-of-way shall be dedicated on a separate Final Plat or as an "H Lot" or "future Lot 10" shall be incorporated into an adjacent lot which has legal access;
 9. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along Elm Avenue, along the west lot line of Lots 12 and 18 of Block 2 and the first 50 feet of all corner lots;
 10. Upon submittal of a Preliminary Plat application, a subdivision estimate form shall be submitted for review and approval;
 11. Prior to submittal of a Final Plat application, a street name for the cul-de-sac 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;
 12. A Special Exception is hereby granted to allow 42 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual;
 13. Upon submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Elm Avenue; and,
 14. 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.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to subdivide a ten acre parcel into 21 residential lots leaving an approximate four acre non-transferable balance. (The applicant should be aware that the non-transferable balance must be platted prior to sale and/or transfer of the property.) The proposed development is known as Phase Two of Kennsington Heights Subdivision.

On July 21, 2004, the Planning Commission approved a Preliminary Plat to create 21 residential lots located directly north of the subject property, known as Phase One of Kennsington Heights Subdivision. The City Council will hear the item at their September 20, 2004 City Council meeting. On July 19, 2004, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to dedicate ten additional feet of right-of-

STAFF REPORT
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No. 04PL120 - Layout Plat

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way along Elm Avenue as it abuts Phase One and Phase Two of Kennsington Heights Subdivision.

The property is located at the southern terminus of Elm Avenue on the west side of Elm Avenue. Currently, a single family residence and a pole barn are located on the four acre non-transferable balance.

STAFF REVIEW:

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

Elm Avenue: A Preliminary Plat has been approved by the City Council to allow for the construction of the northern 260 feet of Elm Avenue extending south from Hanover Drive to the subject property. However, to date a Final Plat has not been approved dedicating this portion of the Elm Avenue right-of-way. In addition, the plat document identifies the east half of the Elm Avenue right-of-way located adjacent to the subject property on an adjacent property under different ownership. To date, the right-of-way has not been dedicated for this portion of Elm Avenue either. As such, staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to show the dedication of the northern 260 feet of Elm Avenue and the east half of Elm Avenue located on adjacent properties or the rights-of-way must be dedicated as a part of separate plat actions or as "H Lots".

As previously indicated, on July 19, 2004, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to dedicate ten additional feet of right-of-way along Elm Avenue as it abuts the subject property. However, a stipulation of approval requires that a ten foot wide pedestrian access and utility easement be provided along Elm Avenue. To date, the plat document does not show the easement. As such, staff is recommending that upon submittal of a Preliminary Plat application, the plat document be revised to provide a ten foot wide pedestrian access and utility easement as identified.

Water: Staff is recommending that, water plans prepared by a Registered Professional Engineer showing the extension of water mains be submitted for review and approval or a Variance to the Subdivision Regulations be obtained. In particular, the water plans must provide a 16 inch low pressure water main along Elm Avenue, a 12 inch water main along Field View Drive and an eight inch water main along Davin Drive. Staff is recommending that water plans be submitted as identified upon submittal of a Preliminary Plat application.

Sewer: Staff is recommending that, sewer plans prepared by a Registered Professional Engineer showing the extension of water mains be submitted for review and approval or a Variance to the Subdivision Regulations be obtained. In particular, the sewer plans must provide an eight inch sanitary sewer main extension along Field View Drive. Staff is recommending that sewer plans be submitted as identified upon submittal of a Preliminary Plat application.

Future Lot 10: The Layout Plat identifies "future Lot 10" located along the south lot line of the subject property. In addition, the Layout Plat identifies a street located on the adjacent property serving as access to the lot. However, to date a Final Plat has not been approved dedicating the street as right-of-way. As such, staff is recommending that upon submittal of

STAFF REPORT
September 23, 2004

No. 04PL120 - Layout Plat

ITEM 2

a Preliminary Plat application, the plat document be revised to provide access to "future Lot 10" or right-of-way must be dedicated on a separate Final Plat or as an "H Lot" or "future Lot 10" must be incorporated into an adjacent lot which has legal access.

Forty Unit Rule: As previously noted, staff is recommending that prior to submittal of a Final Plat application, Elm Avenue and Field View Drive rights-of-way located northeast of the subject property be dedicated. However, the Layout Plat of the subject properties identifies that 42 dwelling units will have exclusive access along the interior streets of Kensington Heights as they extend west from Elm Avenue. 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". As such, the applicant is requesting a Special Exception to allow 42 dwelling units in lieu of 40 dwelling units with one point of access. Staff has noted that a Master Plan for the property located directly south of the subject property has been reviewed and approved by the City. The Master Plan identifies the future extension of Field View Drive and Davin Drive from the subject property south to Enchanted Pines Drive. Upon the future platting of this adjacent property, three streets will serve as access to the property. As such, staff is recommending that a Special Exception to allow 42 dwelling units in lieu of 40 dwelling units with one point of access be granted.

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