

STAFF REPORT  
September 21, 2006

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No. 06PL141 - Layout Plat

ITEM 36

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GENERAL INFORMATION:

PETITIONER Fisk Land Surveying & Consulting Engineers, Inc. for Harley Taylor

REQUEST **No. 06PL141 - Layout Plat**

EXISTING  
LEGAL DESCRIPTION

A parcel of land located in the N $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 21, T1N, R7E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the N $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 21, said point being also known as the center of said Section 21 and said point being coincident with the southwest corner of Lot R of Block 3 of Westview Estates (as shown on the plat recorded in Plat Book 21 page 102) and also coincident with the northwest corner of Lot 9 of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 18 on Page 75), said point being marked by a rebar with cap "LS 1019"; thence, southerly along the north-south quarter section line and along the west line of said Lot 9 of Block 3 of Wildwood Subdivision, S00°00'48"E, a distance of 170.74 feet more or less, to the southwest corner of said Lot 9 of Block 3, of Wildwood Subdivision, said point being coincident with the northwest corner of Lot 10 of Block 3 of Wildwood Subdivision, and said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing southerly along the center quarter section line and along the west line of said Lot 10 of Block 3 of Wildwood Subdivision, S00°03'36"W, a distance of 655.65 feet more or less, to the southwest corner of said Lot 10 of Block 3 of Wildwood Subdivision, said point being coincident with a point on the northerly line of Lot 11 of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 18 on Page 75), and said point being marked by a rebar with cap "FISK LS 1771"; thence, southwesterly along the northwesterly line of said Lot 11 of Block 3 of Wildwood Subdivision, S32°53'42"W, a distance of 67.03 feet more or less, to the westerly corner of said Lot 11 of Block 3 of Wildwood Subdivision, said point being coincident with the north corner of Lot 12 of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 17 on Page 187), and said point being marked by a rebar with cap "FISK LS 1771"; thence, southwesterly along the northwesterly line of said Lot 12 of Block 3 of Wildwood Subdivision, S32°58'25"W, a distance of 65.94 feet more or less, to the northwest

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corner of said Lot 12 in Block 3 of Wildwood Subdivision, said point being coincident with the north corner of Lot 13R of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 30 on Page 34), and said point being marked by a rebar with cap "FISK LS 1771"; thence, S90°00'00"W, a distance of 704.97 feet more or less; thence, N90°00'00"W, a distance of 747.30 feet more or less; thence, N69°00'53"W, a distance of 37.22 feet more or less; thence, southwesterly and curving to the right on a curve with a radius of 492.26 feet, a delta of 02°26'04", an arc length of 20.92 feet more or less, and a chord bearing of S25°13'48"W, and a chord distance of 20.91 feet, more or less; thence, N63°33'10"W, a distance of 100.00 feet more or less; thence, northeasterly and curving to the left on a curve with a radius of 392.26 feet, a delta of 09°44'59", an arc length of 66.75 feet more or less, and a chord bearing of N21°34'20"E, and a chord distance of 66.67 feet, more or less; thence, S83°00'00"W, a distance of 363.67 feet more or less; thence, S04°41'43"E, a distance of 202.00 feet more or less; thence, S35°35'41"W, a distance of 163.11 feet more or less, to a point on the 1/16th section line; thence, S89°47'34"W, a distance of 331.70 feet more or less, to a point on the 1/256th section line; thence, northerly along said 1/256th section line, N00°12'26"W, a distance of 463.97 feet more or less, to a point on the east-west one-quarter section line of said Section 21, said point also being located on the south line of Lot 9 of Block 5 of Westview Estates Subdivision (as shown on the plat recorded in Plat Book 27 on Page 177); thence, easterly along said one-quarter section line and along the south line of said Lot 9 of Block 5 of Westview Estates and along the south line of Lot 1 of Block 5 of Westview Estates (as shown on the plat recorded in plat Book 27 on Page 177), N89°47'51"E, a distance of 331.81 feet, more or less, to a point on the north-south 1/16th section line, said point being marked by a rebar; thence, continuing easterly along said one-quarter section line and along the south line of said Lot One (1) of Block Five (5) of Westview Estates, N89°46'54"E, a distance of 272.14 feet more or less, to a point marked by a rebar; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 1 of Block 5 of Westview Estates and along the south line of Carriage Hills Drive right-of-way, N89°51'26"E, a distance of 270.78 feet more or less, to the southeast corner of the terminus of Carriage Hills Drive, said point also being coincident with the southwest

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corner of Lot 27 of Block 3 of Westview Estates (as shown on the plat recorded in Plat Book 27 on page 177), said point being marked by a rebar with survey cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 27 of Block 3 of Westview Estates, N89°50'31"E, a distance of 224.99 feet, more or less, said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 27 of Block 3 of Westview Estates, N89°48'02"E, a distance of 29.61 feet more or less, to the southeast corner of said Lot 27 of Block 3 of Westview Estates, said point also being coincident with the southwest corner of Lot 26R of Block 3 of Westview Estates (as shown on the plat recorded in plat Book 27 on page 177), said point being marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°52'45"E, a distance of 100.03 feet more or less, to a point marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°46'22"E, a distance of 165.37 feet more or less, said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°48'13"E, a distance of 134.59 feet more or less, to the southeast corner of said Lot 26R of Block 3 of Westview Estates, said point being coincident with the southwest corner of Lot R of Block 3 of Westview Estates, and said point being marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot R of Block 3 of Westview Estates, N89°48'06"E, a distance of 130.02 feet more or less, to the point of beginning.

PROPOSED LEGAL DESCRIPTION	Lots 1, 2, 3, 4A, 4B, 5, 6, 7, 8, Elysian Heights Subdivision, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 22.32 acres
LOCATION	Southern terminus of Carriage Hills Drive
EXISTING ZONING	Suburban Residential District (Pennington County)

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SURROUNDING ZONING

North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Planned Unit Development (Pennington County)

PUBLIC UTILITIES                      City sewer and water

DATE OF APPLICATION                8/25/2006

REVIEWED BY                          Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Layout Plat approval by the City Council, an Exception to allow 63 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual shall be obtained or the plat document shall be revised accordingly;
2. Upon submittal of a Preliminary Plat application, a grading plan, an erosion and sediment control plan, a drainage plan and geotechnical information shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as needed;
3. 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 be revised to show utility easements as needed;
4. 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 plat document shall be revised to show utility easement(s) as needed;
5. Upon submittal of a Preliminary Plat application, road construction plans for Carriage Hills Drive shall be submitted for review and approval. In particular, the road construction plans shall show Carriage Hills Drive 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. In addition, the construction plans shall identify the construction of a temporary turnaround at the end of the cul-de-sac or a Variance to the Subdivision Regulations shall be obtained;
6. Upon submittal of a Preliminary Plat application, road construction plans for Elysian Court shall be submitted for review and approval. In particular, the street shall be located in a minimum 49 foot 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, the construction plans shall identify the construction of a permanent turnaround at the end of the cul-de-sac with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained;
7. Prior to Preliminary Plat approval by the City Council, the property shall be annexed into

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- the City limits;
8. Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;
  9. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  10. Prior to submittal of a Final Plat application, the plat document shall be revised clarifying the existing legal description as Lot 4A and 4B as shown on the plat drawing or Lot 4 as shown in the plat title. In addition, the plat title shall be revised to add "formerly a portion of the N1/2 SW1/4 of Section 21, T1N, R7E, located in the...."; and,
  11. 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 43 acres into eight lots leaving an unplatted balance to be platted at a future date before transfer of ownership of the property. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Carriage Hills Drive and Elysian Court, to reduce the pavement width from 40 feet to 27 feet along Carriage Hills Drive, and, to allow a lot twice as long as wide (See companion item #06SV054.)

On December 5, 2005, the City Council approved a Layout Plat to subdivide the subject property into three lots leaving an unplatted non-transferable balance. In addition, the City Council approved an Exception request to allow 54 dwelling units in lieu of 40 dwelling units with one point of access as per the Street Design Criteria Manual.

On December 5, 2005, the City Council also approved a Variance to the Subdivision Regulations to waive the requirement to install sidewalk, street light conduit and to reduce the pavement width from 40 feet to 27 feet along Carriage Hills Drive as it abuts the subject property with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements.

The subject property is located at the southern terminus of Carriage Hills Drive. Currently, a riding arena and a barn are 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.

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**STAFF REVIEW:**

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

**Annexation:** The property is located adjacent to the City limits of Rapid City. In May, 1983, the City Council approved a resolution requiring all properties that are contiguous to Rapid City which are being platted to be annexed into the city limits of Rapid City prior to Preliminary Plat approval. As such, staff is recommending that the property be annexed accordingly.

**Lot Configuration:** The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed Preliminary Plat identifies that three of the lots will have a length twice the distance of the width. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations be obtained to allow a lot twice as long as it is wide or the plat document must be revised to comply with the length to width requirement.

**Master Plan:** The City Council and the Planning Commission have adopted a resolution stating that a Master Plan shall be submitted with a Layout Plat. The applicant has submitted a "Potential Alignment of Possible Future Road" plan showing the extension of Carriage Hills Drive to the west lot line of the subject property. The proposed street alignment is in compliance with the City's adopted Master Plan and identifies a future street connection to the adjacent property. The "Potential Alignment of Possible Future Road" plan meets the substantive requirement of a Master Plan.

**Drainage Plan:** As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the City Council, a drainage and grading plan, as well as an erosion and sediment control plan, be submitted for review and approval and the plat document revised to provide drainage easements as needed.

**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". With the nine additional lots as shown on the Layout Plat, Carriage Hills Drive will serve as exclusive access to 63 lots. As such, the applicant has submitted an Exception to allow 63 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual. Staff is recommending that prior to Layout Plat approval by the City Council, the Exception to allow 63 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual be obtained or the plat document must be revised accordingly.

**Carriage Hills Drive:** Carriage Hills Drive currently terminates at the north lot line of the subject property. The street is classified as a minor arterial street on the City's Major Street Plan requiring that it be 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. In addition, the construction plans must identify the construction of a temporary turnaround at the end of the cul-de-sac. Currently, Carriage Hills Drive located north of the

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subject property is located in a 70 foot wide right-of-way and constructed with a 27 foot wide paved surface, curb, gutter and water. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for Carriage Hills Drive be submitted for review and approval as identified or a Variance to the Subdivision Regulations shall be obtained.

Elysian Court: The Layout Plat identifies Elysian Court extending east from Carriage Hills Drive to serve as access to seven of the proposed lots. The street is classified as a lane place street requiring that it be 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. In addition, the construction plans must identify the construction of a permanent turnaround at the end of the cul-de-sac with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for Elysian Court be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

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