

STAFF REPORT  
March 27, 2008

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**No. 08PL026 - Preliminary Plat**

**ITEM 38**

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GENERAL INFORMATION:

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| APPLICANT                     | Harley Taylor   |
| AGENT                         | Janelle Finck for Fisk Land Surveying & Consulting Engineers  |
| PROPERTY OWNER                | Harley Taylor   |
| REQUEST                       | <b>No. 08PL026 - Preliminary Plat</b>   |
| EXISTING<br>LEGAL DESCRIPTION | <p>A parcel of land located in the N<math>\frac{1}{2}</math> SW<math>\frac{1}{4}</math>, Section 21, T1N, R7E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the N<math>\frac{1}{2}</math> SW<math>\frac{1}{4}</math>, 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, Block 3 of Wildwood Subdivision, said point being coincident with the north corner of Lot 12, Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 17 on Page 187), and said point being marked</p> |

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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 corner of said Lot 12, 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, North, 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 2 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 9 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 1 of Block 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

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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 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 thru 10 of Elysian Heights Subdivision and dedicated Right-of-way, located in the N1/2 SW1/4, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

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| PARCEL ACREAGE      | Approximately 22.32 acres                         |
| LOCATION            | Southern terminus of Carriage Hills               |
| EXISTING ZONING     | Low Density Residential District                  |
| SURROUNDING ZONING  |   |
| North:              | Low Density Residential District                  |
| South:              | Suburban Residential District (Pennington County) |
| East:               | Low Density Residential District                  |
| West:               | Low Density Residential District                  |
| PUBLIC UTILITIES    | City sewer and water                              |
| DATE OF APPLICATION | 2/29/2008   |
| REVIEWED BY         | Vicki L. Fisher / Mary Bosworth                   |

**RECOMMENDATION:**

Staff recommends that the Preliminary Plat be continued to the April 10, 2008 Planning Commission at the applicant's request.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Plat to subdivide the property into ten residential lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #08SV012) to waive the requirement to install sidewalk along Carriage Hills Drive and Elysian Court and to reduce the pavement width from 40 feet to 27 feet along Carriage Hills Drive as they abut the property.

On October 2, 2006, the City Council approved a Layout Plat (File #06PL141) to subdivide the subject property into eight lots. In addition, the City Council approved a Variance to the Subdivision Regulations (File #06SV054) 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. The City Council also approved an Exception to the Street Design Criteria Manual (File #06EX045) to allow 63 dwelling units with one point of access in lieu of 40 dwelling units.

On February 5, 2007, the City Council approved a Preliminary Plat (File #07PL171) to subdivide the property into nine residential lots. The applicant is now proposing to subdivide the property into ten residential lots.

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.

**STAFF REVIEW:**

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

**Zoning:** The property is currently zoned Low Density Residential District requiring a minimum

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6,500 square foot lot. The proposed lots range in size from 26,925 square feet to 228,333 square feet meeting the minimum lot size requirement of the Low Density Residential District.

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 six 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, an Exception must 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.

40 Unit Rule 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". Currently, Carriage Hills Drive serves as exclusive access to 55 lots. During the review of the previously approved Preliminary Plat (File #06PL171) to subdivide the property into nine lots, the City Council approved an Exception to allow 63 dwelling units with one point of access in lieu of 40 dwelling units. However, the applicant is now proposing to subdivide the property into ten lots. In addition, the applicant has submitted an Exception to allow 64 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual. On March 5, 2008, City staff denied the Exception request. The applicant has subsequently appealed staff's decision. As such, the Exception request will be considered at the April 1, 2008 Public Works Committee meeting and the April 7, 2008 City Council meeting.

Staff is recommending that prior to Preliminary Plat approval by the City Council, the Exception to allow 64 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.

Water/Sewer Service Exception: The construction plans show the sanitary sewer service line for Lot 3 crossing adjoining Lot 4 and the sanitary sewer service line for Lot 6 crossing adjoining Lot 5. However, Section 9 of the "Standard Specification of Public Works", 2007 Edition does not allow service lines to cross another property. On March 10, 2008, City staff approved an Exception request to allow a sanitary sewer service line to cross another property as proposed.

The construction plans also show the water service lines for proposed Lots 4 and 5 located in a common trench. In addition, the trench is not located perpendicular to the main or property line. However, the "Standard Specification of Public Works" also states that water service lines must be in separate trenches and designed to be located perpendicular to the main or property line. On March 10, 2008, City staff approved an Exception request to allow the water service lines in the same trench and located parallel to the property line(s) as proposed.

Approach Design: The proposed shared approach to Lot 2 and Lot 3 measures 40 feet in width. In addition, the proposed shared approach to Lot 4 and Lot 5 measures 33 feet in width.

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However, Chapter 8.2.1.A of the Street Design Criteria Manual states that where a shared approach is used, a driveway opening of 24 feet is acceptable. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception be obtained to allow a 40 foot wide and a 33 foot wide shared approach, respectively, in lieu of a maximum 24 foot wide shared approach as per the Street Design Criteria Manual or the plat document must be revised to show a maximum 24 foot wide shared approach.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In addition, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

Continuance Request: On March 13, 2008, the applicant submitted a written request that this item be continued to the April 10, 2008 Planning Commission meeting. As such, staff is recommending that the Preliminary Plat be continued as requested.