

STAFF REPORT

February 22, 2001

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**No. 01PL005 - Preliminary and Final Plat**

**ITEM 12**

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GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Cal Weidenbach Construction
REQUEST	<b>No. 01PL005 - Preliminary and Final Plat</b>
LEGAL DESCRIPTION	Lot 23R and Lot 24R all located in Village On The Green No. 2 Subdivision, formerly Lot 23 and Lot 24 of Village On The Green No. 2 Subdivision a portion of previously platted Spiken Ridge Parcel and Golf Course Parcel of Hart Ranch Development located in SE1/4 of the SW1/4 and SW1/4 of the SE1/4 of Section 12, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .0694 Acres
LOCATION	On the south side of Hacker Loop Road - Hart Ranch
EXISTING ZONING	Planned Unit Development (County)
SURROUNDING ZONING	
North:	Planned Unit Development (County)
South:	Planned Unit Development (County)
East:	Planned Unit Development (County)
West:	Planned Unit Development (County)
PUBLIC UTILITIES	Community water and sewer
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Preliminary and Final Plat be approved with the following stipulations:

Urban Planning Division Recommendations:

1. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted and all subdivision inspection fees paid;
2. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted;
3. A Special Exception to the Street Design Criteria Manual is hereby granted to reduce the right-of-way width from 47 feet to 40 feet; and,
4. A Special Exception to the Street Design Criteria Manual is hereby granted to allow an exclusive access road to serve 42 dwelling units with the condition that, prior to any platting beyond the previously approved 45 lot development (or 58 dwelling units) or any further extension of the cul-de-sac located at the end of Mulligan Mile, Mulligan Mile shall be extended to Arena Road.

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GENERAL COMMENTS: The applicant is requesting approval of Preliminary and Final Plat #00PL088 to reconfigure two lots. Currently, a single family residence is located on proposed Lot 24R. The residence was constructed 5.4 feet from the west lot line, 2.6 feet into the required eight foot side yard setback. As such, the applicant is proposing to reconfigure the common lot line between the two lots in order to provide the minimum eight foot side yard setback. Currently, proposed Lot 23R is void of any structural development. The applicant has also submitted a Subdivision Regulations Variance request to waive the sidewalk requirement on one side of the road (See companion item #01SV003).

On April 25, 1994, the Pennington County Board of Commissioners approved a Preliminary Plat to create a 45 lot residential development to be known as "Village on the Green No. 2". The subject property is a part of the approved Preliminary Plat. To date, the County Board of Commissioners have approved Final Plat(s) on 30 of the residential lots within the proposed development. Due to the recent annexation and extension of boundaries of Rapid City's platting jurisdiction, the remaining lots, including the subject property, must be approved by the City of Rapid City.

On October 16, 2000, the City Council approved two Preliminary and Final Plats to create four additional townhome lots and four single family residential lots within Village on the Green No. 2.

STAFF REVIEW: Staff has reviewed the Preliminary and Final Plat and has noted the following considerations:

Zoning: As previously indicated, the property is located in Pennington County, outside of the incorporated City limits of Rapid City. The property is currently zoned Planned Unit Development by Pennington County. The Planned Unit Development allows for the development of townhomes, condominiums and single family dwellings in the development. The proposed single family residential homes are a permitted use as identified by the Planned Unit Development.

Street Improvements: Hacker Loop and Birdie Court serve as legal access to the subject property. Both roadways are currently constructed with a forty foot wide right-of-way and a 24 foot wide paved surface with curb and gutter. The applicant had previously obtained a Subdivision Regulations Variance from the Pennington County Board of Commissioners to reduce the right-of-way width from 50 feet to 40 feet for all roadways within Village on the Green No. 2. The Subdivision Regulations Variance was granted with the condition that a five foot wide access easement be identified along the roadways and that a note be placed on the plat stating that on-street parking is prohibited. The Rapid City Street Design Criteria Manual classifies Hacker Loop and Birdie Court as local roads requiring a minimum 47 foot wide right-of-way with a 22 foot wide paved surface. In order to maintain road design consistency within the development, staff is recommending that a Special Exception to the Street Design Criteria Manual be granted to reduce the right-of-way width from 50 feet to 40 feet. A five foot wide access easement has been identified along the two roads and a note has been placed on the plat stating that "on-street parking is prohibited". The Rapid City Planning Commission recently recommended granting the same Special Exception for the recently platted townhome lots along Mulligan Mile.

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Secondary Access: Mulligan Mile serves as the exclusive access road to the development. Currently, 42 lots, including the four townhome lots and the four single family residential lots recently approved by the Rapid City Planning Commission, have been platted within the subdivision. With approval of this plat, the road will continue to serve as exclusive access to 42 lots. 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". A Master Plan has been submitted identifying that Mulligan Mile will eventually be extended east to Arena Road. The Master Plan also identifies that additional townhome lots will be constructed along the eastern end of Mulligan Mile and that commercial lots will be located along Arena Road. As previously indicated, the County Board of Commissioners approved a Preliminary Plat to allow 45 lots (or 58 dwelling units) to access exclusively from Mulligan Mile. Allowing this plat to proceed, which results in 42 dwelling units exclusively accessed from Mulligan Mile, may be in keeping with the intent of the previously approved plat by the County. In addition, the proposed lots are located on a portion of Hacker Loop and Birdie Court that have already been constructed. Staff recommends that a Special Exception to the Street Design Criteria Manual be granted to allow an exclusive access road to serve 42 dwelling units with the condition that, prior to any platting beyond the previously approved 45 lot development (or 58 dwelling units) or any further extension of the cul-de-sac located at the end of Mulligan Mile, Mulligan Mile must be extended to Arena Road.

Subdivision Improvements: Prior to Final Plat approval, subdivision improvements as specified in Section 16.20.040 of the Rapid City Municipal Code must be completed or surety must be posted. Currently, Hacker Loop and Birdie Court are constructed with a 24 foot wide paved surface and curb and gutter. A Subdivision Regulations Variance request has been previously granted to allow sidewalks on one side of the road. The applicant has again submitted a Subdivision Regulations Variance request as a companion item to this plat to waive the sidewalk requirement on one side of the road. Prior to Final Plat approval, the Subdivision Regulations Variance must be obtained or the sidewalk must be constructed on both sides of the road(s).

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