

STAFF REPORT

September 20, 2001

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**No. 01PL097 - Preliminary and Final Plat**

**ITEM 13**

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GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	<b>No. 01PL097 - Preliminary and Final Plat</b>
LEGAL DESCRIPTION	Tract A and dedicated streets, Big Sky Subdivision - Phase VII located in the SE1/4 NW1/4 and the NE1/4 NW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota; excepting Lot 1, Block 13 and Lot 1, Block 14 of Big Sky Subdivision and dedicated public rights of way (Big Sky Drive and Degeest Street), as shown on the plat filed in Plat Book 29, Page 154, also excepting Lots 1 and 2, Block 13 and Lots 2, 3, 4 and 5, Block 14 and dedicated public rights of way (Degeest St., Buddy Ct. and Homestead Ave.)
PARCEL ACREAGE	Approximately 23.012 acres
LOCATION	At the intersection of Degeest Street and Homestead Avenue
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

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

Engineering Division Recommendations:

1. Prior to Preliminary Plat approval by the City Council, the Master Plan shall be revised and submitted for review and approval;
2. Prior to Preliminary Plat approval by the City Council, the water and sewer plans shall be revised and submitted for review and approval reflecting the revisions identified on the Master Plan;
3. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Engineering Division;

## STAFF REPORT

September 20, 2001

---

**No. 01PL097 - Preliminary and Final Plat**

**ITEM 13**

---

4. Prior to Final Plat approval, the property shall be annexed into the City of Rapid City or the applicant shall enter into an agreement with the City providing for the annexation of the property by July 7, 2002 or when eligible for annexation. If the property has not been annexed into the City of Rapid City prior to Final Plat approval, the applicant shall provide evidence of a legally binding agreement from either the City of Rapid City or the Rapid Valley Sanitary District to provide water supply and wastewater disposal services until such time as the property has been annexed;
5. Prior to Final Plat approval by the City Council, the applicant shall submit a copy of the Covenants for Big Sky Subdivision identifying that a Home Owners Association has been formed to maintain the roads within the proposed development;
6. Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement long the first 85 feet of corner lots in accordance with the Street Design Criteria Manual;

Fire Department Recommendations:

7. The requirements of the Uniform Fire Code shall be continually met;

Transportation Planning Division Recommendations:

8. Prior to Preliminary Plat approval by the City Council, the street design plans shall be revised to show a bike path along the east side of Degeest Drive as shown on the Elk Vale Neighborhood Area Future Land Use Map. Subdivision improvements shall include grading for the eight foot wide bike path. If the property is not annexed into the City limits prior to Final Plat approval, a standard four foot wide sidewalk shall be constructed. Upon annexation of the property, the City shall assist the developer in the oversizing costs for the construction of the eight foot wide bike path, or the additional four feet of sidewalk;

Register of Deeds Office Recommendation:

9. Prior to Final Plat approval by the City Council, the plat shall be revised to eliminate "Phase VII" from the title;

Emergency Services Communication Recommendation:

10. Prior to Final Plat approval by the City Council, the plat shall be revised to identify "Homestead Avenue" as Homestead Street";

Urban Planning Division Recommendations:

11. Prior to Preliminary Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval and all subdivision inspection fees paid; and,
12. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

GENERAL COMMENTS: The applicant is requesting approval of a Preliminary and Final Plat to create a 20 acre parcel. The development is identified as Phase VII, Big Sky Subdivision.

In July 1997, a Master Plan was approved to allow a residential development on approximately 300 acres of property to be known as "Big Sky Subdivision". In addition, the

## STAFF REPORT

September 20, 2001

---

**No. 01PL097 - Preliminary and Final Plat**

**ITEM 13**

---

applicant entered into an agreement that precludes the platting of more than 150 lots before a connector road is extended to Elk Vale Road. Since then, Phase One, Phase Two, Phase Three and Phase Four of the proposed development have been platted and constructed. Phase V and Phase VI are currently pending approval by the City Council. Approval of the Final Plat for Phase V, Phase VI and the proposed plat will result in a total of 134 lots being platted.

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

Water and Sewer: The Engineering Division has indicated that the property is located in the City's water and sewer service boundaries; however it is not located in the City limits. City policy does not generally provide for utility services to be extended outside the City limits. There are notable exceptions to this policy, including Northdale Sanitary Sewer District, Rapid Valley Sanitary Sewer and Water District, etc. The City Council created a committee to review this issue. The committee has met several times, including as recently as last week. They will be meeting again in September to consider possible changes in the existing policy. Prior to Final Plat approval, the property must be annexed into the City of Rapid City or the applicant must obtain approval from the City Council to enter into an agreement with the City allowing the property to be served by City sewer and water until such time as the property is annexed. In addition, the petitioner entered into an agreement with the City in 1997 requiring that all property within the "Big Sky Subdivision" be annexed within a maximum of five years from July 7, 1997, or at the time of final platting if contiguous to the City of Rapid City. The subject property is not currently contiguous to the City. If the property is not annexed at this time, then an agreement for annexation must be signed for this phase between the City and the petitioner prior to Final Plat approval by the City Council.

The Engineering Division has also indicated that the water and sewer plans must be revised to show service taps to the property(s) located south and west of the subject property and within the subject property as previously identified on the approved Master Plan or the Master Plan must be revised to reflect that these service taps are no longer necessary.

Drainage: The Pennington County Drainage Engineer has indicated that the proposed drainage channel and storm sewage improvements appear to be adequate for the subject property. The Pennington County Drainage Engineer has also indicated that the major drainage easement as shown on the plat is of sufficient size to accommodate the proposed channel. In addition, the Pennington County Drainage Engineer has indicated that the major drainage easement will limit structural development on this portion of the property, thereby, reducing the potential impervious area on the subject property.

The Engineering Division has indicated that development of the subject property must meet the run-off rates as identified in the County Heights Drainage Basin Drainage Plan and as modified for the Detention Cell 100 Design. The Engineering Division has indicated that calculations for the County Heights Drainage Basin Drainage Plan identified the subject

# STAFF REPORT

September 20, 2001

---

**No. 01PL097 - Preliminary and Final Plat**

**ITEM 13**

---

property as residential. The applicant has indicated that a church may eventually be constructed on the property. The Engineering Division has indicated that the change in use may result in an increase in the impervious area. As such, the applicant should be aware that on-site detention may be necessary and may be required to be constructed prior to issuance of any building permits.

Secondary Access: The proposed plat will result in 38 lots being served with exclusive access from Degeest Drive. The applicant should be aware that prior to any additional platting resulting in more than 40 dwelling units, a second access road to the development must be provided.

Non-access Easements: Homestead Street and Degeest Drive are classified as collector roads on the Major Street Plan. A note on the plat identifies a non-access easement along the first 50 feet of corner lots. The Street Design Criteria Manual requires a minimum 85 foot separation between an approach and the intersection of a collector road. As such, the plat must be revised to show a non-access easement along the first 85 feet of corner lots.

Bike Path: The Elk Vale Neighborhood Area Future Land Use Map identifies a bike path to be located along Degeest Street. The Transportation Division has indicated that the street plans must be revised to show an eight foot wide bike path along the east side of Degeest Street prior to Final Plat approval. The Street Design Criteria Manual states that a four foot wide sidewalk must be constructed as a part of a residential development. Constructing an eight foot wide bike path will result in an oversizing cost. If the property is annexed prior to Final Plat approval, the City will assist the developer in the oversizing costs for the eight foot wide bike path, or four feet of the sidewalk. The County does not have any adopted policies to assist the developer(s) with the cost of oversized infra-structure improvements. If the property is not annexed at this time, the grading for the eight foot wide bike path must be completed and a standard four foot wide sidewalk must be constructed.

Plat Labeling: The Register of Deed's Office has indicated that the plat must be revised eliminating "Phase VII" from the title. In addition, the Emergency Services Communication Center has indicated that the plat must be revised to correctly identify "Homestead Avenue" as "Homestead Street".

Uniform Fire Codes: The Fire Department has indicated that all Uniform Fire Codes must be met. In particular, Section 903.2 of the Uniform Fire Code states that "an approved water supply capable of supplying the required fire flow protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief". Prior to issuance of a building permit for on-site construction using combustible material(s), an approved water supply must be provided. Section 903.3 of the Uniform Fire Code states that the "water supply is allowed to consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems". The applicant should be aware that

## STAFF REPORT

September 20, 2001

---

**No. 01PL097 - Preliminary and Final Plat**

**ITEM 13**

---

prior to issuance of a building permit for on-site construction using combustible material(s), an approved water supply must be provided as required by the Uniform Fire Code requirements. The Fire Department has also indicated that emergency vehicle access must be maintained at all times.

Air Quality: The Air Quality Office has indicated that an Air Quality Permit is needed prior to any development work or construction in excess of one acre. The applicant should be aware that an Air Quality Permit may be needed.

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