

STAFF REPORT  
July 26, 2007

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**No. 07PL086 - Preliminary Plat**

**ITEM 16**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 07PL086 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 1 of Tract 2 Revised and Lot 2E of Lot 2 of Tract 2 Revised of Cavern Crest Subdivision, located in the SE1/4 of Section 11, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Tract 2 Revised and Lot 2ER of Lot 2 of Tract 2 Revised of Cavern Crest Subdivision, located in the SE1/4 Section 11, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 21.34 acres
LOCATION	2675 Cavern Road and 8500 West Highway 44
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Low Density Residential District (Pennington County)
South:	Planned Unit Development (Pennington County) - General Commercial District
East:	Low Density Residential District - Limited Agriculture District (Pennington County)
West:	Low Density Residential District - Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	6/27/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the existing driveway located across the southwest corner of proposed Lot 1R within an access easement. In addition, construction plans for the access easement shall be submitted for review and approval showing the driveway constructed with a minimum 22 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;

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2. Prior to Preliminary Plat approval by the City Council, road construction plans for Cavern Road shall be submitted for review and approval. In particular, the plans shall show the street located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, road construction plans for Cavern Crest Court shall be submitted for review and approval. In particular, the plans shall show the street located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to Preliminary Plat approval by the City Council, road construction plans for S.D. Highway 44 West shall be submitted for review and approval. In particular, the plans shall show the street constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Preliminary Plat approval by the City Council, 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. Prior to Preliminary Plat approval by the City Council, 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;
7. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow Cavern Road and Cavern Crest Court to serve 12 lots and five lots, respectively, in lieu of four lots or the plat document shall be revised accordingly;
8. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow Cavern Crest Court as an 1,800 foot long cul-de-sac street with no intermediate turnarounds in lieu of a maximum 500 foot long cul-de-sac street with intermediate turnarounds every 600 feet or the plat document shall be revised accordingly;
9. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow access to proposed Lot 1R from S.D. Highway 44 West in lieu of Cavern Crest Court, the lesser order street, or the plat document shall be revised accordingly;
10. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow two driveways in lieu of one driveway to proposed Lot 2ER or one of the approaches shall be eliminated and the plat document revised to show a non-access easement accordingly;
11. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow the landing at the intersection of Cavern Crest Court and Cavern Road to exceed 5% for the first 50 feet or road construction plans shall be submitted for review and approval showing the landing in compliance with the Street Design Criteria Manual;
12. Prior to submittal of a Final Plat application, a reserve drainfield area for on-site wastewater treatment shall be shown on the plat or a note shall be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area for on-site wastewater treatment will be identified and held in reserve unless a public sewer system is provided;
13. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide for street maintenance and snow removal. In particular, an

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- agreement with Pennington County shall be submitted for review and approval indicating that the proposed street shall be accepted by Pennington County for road maintenance and snow removal; or evidence shall be submitted for review and approval that a road district has been established in accordance with SDCL 31-12A-1; or a legally binding agreement shall be submitted for review and approval by the City Council which guarantees sufficient financial commitment to provide these services;
14. Prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented;
  15. Prior to submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along S.D. Highway 44 West or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s);
  16. 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; and,
  17. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Plat to reconfigure two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#07SV035) to allow platting half of a right-of-way and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement. The Preliminary Plat identifies the two lots as proposed "Lot 1R and Lot 2ER".

On July 17, 2007, the Pennington County Board of Commissioners approved a rezoning request to change the zoning designation on a portion of proposed Lot 1R from Low Density Residential to Limited Agriculture. In addition, on July 17, 2007, the Pennington County Zoning Board of Adjustment approved a Variance to reduce the lot size of proposed Lot 2ER from three acres to 2.9 acres.

The property is located west of Cavern Road and north of S. D. Highway 44 West. Currently, a single family residence and a detached garage are located on proposed Lot 1R. In addition, a single family residence is located on proposed Lot 2ER.

**STAFF REVIEW:**

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

**S.D. Highway 44 West:** S.D. Highway 44 West is located along the south lot line of the property and is classified as a principal arterial street on the City's Major Street Plan requiring that the street be located within 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. Currently, S.D. Highway 44 West is located within a 132 foot wide right-of-way and constructed with a 32 foot wide paved surface. Staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

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Cavern Road/Cavern Crest Court: Cavern Road and Cavern Crest Court currently serve as access to 12 lots and five lots, respectively, classifying the streets as lane/place streets. Section 2.3.1 of the Street Design Criteria Manual states that “in moderate/high/extreme fire hazard areas, lane/place streets shall provide minimum right-of-way and pavement widths equal to sub-collector streets”. A sub-collector street must be located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The property is located within an extreme fire hazard area. Currently, Cavern Road is located within a 66 foot wide easement and constructed with an approximate 22 foot wide paved surface and Cavern Crest Court is located within a fifty foot wide private access and utility easement and constructed with an approximate 22 foot wide paved surface. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Section 2.4 of the Street Design Criteria Manual states that an easement may serve up to four lots. As noted above, Cavern Road and Cavern Crest Court currently serve as access to 12 lots and five lots, respectively. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception be obtained to allow Cavern Road and Cavern Crest Court to serve 12 lots and five lots, respectively, in lieu of four lots or the plat document must be revised accordingly.

Section 5.2.4 of the Street Design Criteria Manual states that in moderate, high or extreme fire hazard areas, cul-de-sacs shall not exceed 500 feet in length. Section 5.2.3 of the Street Design Criteria Manual states that an intermediate turnaround shall be provided at intervals not to exceed 600 feet. Cavern Crest Court is currently designed as a 1,800 foot long cul-de-sac street with no intermediate turnarounds. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception be obtained to allow Cavern Crest Court as a 1,800 foot long cul-de-sac street with no intermediate turnarounds in lieu of a maximum 500 foot long cul-de-sac street with intermediate turnarounds every 600 feet or the plat document must be revised accordingly.

Driveway: The applicant’s boundary survey and site plan show a portion of a private driveway located across the southwest corner of the property. The driveway extends north from S.D. Highway 44 West and serves an adjacent property. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the plat document be revised to show the existing driveway within an access easement. In addition, construction plans for the access easement must be submitted for review and approval showing the driveway constructed with a minimum 22 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Approaches: Currently, two approaches to proposed Lot 2ER exist, one along Cavern Road and one along Cavern Crest Court. The Street Design Criteria Manual states that a residential lot may have one approach. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception be obtained to allow two driveways in lieu of one driveway to proposed Lot 2ER or one of the approaches must be eliminated and the plat document revised to show a non-access easement accordingly.

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An approach along S.D. Highway 44 West serves as access to proposed Lot 1R. However, reconfiguring the two lots as proposed results in the northern portion of proposed Lot 1R abutting Cavern Crest Court. The Street Design Criteria Manual states that access shall be taken from the lesser order street, or Cavern Crest Court. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception be obtained to allow access to proposed Lot 1R from S.D. Highway 44 West in lieu of Cavern Crest Court, the lesser order street, or the plat document must be revised accordingly.

Wastewater: Chapter 16.16.050 of the Rapid City Municipal Code states that “sewer collection systems shall be installed in each subdivision within Rapid City and surrounding platting jurisdictions in accordance with City specifications”. The applicant has indicated that the two lots are currently served by individual on-site wastewater systems consisting of a septic tank and drainfield. Staff is recommending that prior to Preliminary Plat approval by the City Council, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

The Pennington County Planning Department has also indicated that upon submittal of a Final Plat application, a reserve area must be shown on the plat or a note must be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve wastewater system drainfield area will be identified and held in reserve unless a public sewer system is provided.

Water: The applicant has indicated that a private water system is currently serving the subject property. In particular, a private well exists on each lot. Staff is recommending that prior to Preliminary Plat approval by the City Council, 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 must be obtained.

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 particular, 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.

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