

STAFF REPORT  
January 10, 2008

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**No. 07PL173 - Preliminary Plat**

**ITEM 77**

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GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Dan and Lori Smith
REQUEST	<b>No. 07PL173 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 2 of Block 10 and Lot 2 of Block 13, located in the SW1/4 NE1/4 NW1/4, Section 2, T1N, R7E, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A, B and C of Lot 2 of Block 10 and Block 13, located in the SW1/4 NE1/4 NW1/4, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.16 acres
LOCATION	Between Skyline Drive and Valentine Street at the northern terminus of Valentine Street
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Park Forest District
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/14/2007
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the plat document as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to City Council approval of the Preliminary Plat, the plat document shall be revised to show access to proposed Lot A or a Variance to the Subdivision Regulations shall be obtained to waive the requirement that each lot shall be provided with access from a

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- public street;
3. Prior to City Council approval of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to City Council approval of the Preliminary Plat, 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;
5. Prior to City Council approval of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained;
6. Prior to City Council approval of the Preliminary Plat, road construction plans shall be submitted for review and approval for Valentine Street. In particular, the road construction plans shall identify the street located within a minimum 49 foot wide right-of-way or an Exception shall be obtained to allow an easement to serve as access to five lots in lieu of four lots. In addition, the road construction plans shall show the street 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;
7. Prior to City Council approval of the Preliminary Plat, road construction plans for Skyline Drive shall be submitted for review and approval. In particular, the road construction plans shall show Skyline Drive 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;
8. Prior to City Council approval of the Preliminary Plat, a cost estimate of the subdivision improvements shall be submitted for review and approval;
9. Prior to submittal of a Final Plat, a Variance to Zoning Ordinance shall be obtained to reduce the minimum required lot size in the Park Forest District for the three proposed lots from three acres to 0.9166 acres, 2.9632 acres and 0.1189 acres,
10. 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,
11. 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 application to subdivide the property into three lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#07SV072) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Skyline Drive and Valentine Street, to waive the requirement to dedicate right-of-way along Valentine Street and to waive the requirement that each lot be provided with access from a public street.

On May 3, 2004, the City Council approved a Layout Plat (#04PL042) to reconfigure the property into two lots. In addition, a Variance to the Subdivision Regulations (#04SV021) was granted to waive the requirement to install curb, gutter, sidewalk, street light conduit,

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sewer and water along Skyline Drive and Valentine Street as they abut the property.

The property is located between Skyline Drive and Valentine Street at the northern terminus of Valentine Street. Currently, a single family residence is located on proposed Lot B. Proposed Lots A and C are void of any structural development.

The applicant is proposing to sell Lot C to the City. In addition, Lot A will be retained by the applicant with the reversionary clause that if access is ever provided to the lot, the ownership of the lot will automatically be transferred to the City of Rapid City.

**STAFF REVIEW:**

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

**Lot Size:** The property is zoned Park Forest District requiring a minimum three acre lot size. The Preliminary Plat identifies that the proposed lots are sized 0.9166 acres, 2.9632 acres and 0.1189 acres, respectively. As such, prior to submittal of a Final Plat, a Variance to Zoning Ordinance must be obtained to reduce the minimum required lot size in the Park Forest District as identified or the plat document must be revised accordingly.

**Sewer and Water:** Currently, sewer and water service lines have been extended along Valentine Street to serve the existing residence on proposed Lot B. The applicant has not identified service to proposed Lots A or C. As such, staff is recommending that upon submittal of a Preliminary Plat application, water and sewer plans prepared by a Registered Professional Engineer showing the extension of water and sewer mains be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

**Valentine Street:** Valentine Street extends east from Jackson Boulevard to serve as access to the property. The street is located within an access easement and constructed with an approximate 20 foot wide graveled road. However, 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, sewer and water. As a result of the plat, the easement will serve five lots. Staff is recommending that prior to City Council approval of the Preliminary Plat, road construction plans be submitted for review and approval for Valentine Street as identified or a Variance to the Subdivision Regulations must be obtained. In addition, the road construction plans must identify the street located within a minimum 49 foot wide right-of-way or an Exception must be obtained to allow an easement to serve as access to five lots in lieu of four lots.

**Skyline Drive:** Skyline Drive is located along the east lot line and is classified as a collector street on the City's Major Street Plan requiring that the street be located in a minimum 76 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, Skyline Drive is located in a 60 foot wide right-of-way and constructed with an approximate 24 foot wide paved surface. The plat document identifies the dedication of an additional eight feet of right-of-way along Skyline Drive. Staff is recommending that prior to City Council approval of the Preliminary Plat, road construction plans for Skyline Drive be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

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Access to Lot A: The plat document identifies a non-access easement along Skyline Drive as it abuts Lot A. As such, no legal access is being provided to the lot. Chapter 16.12.190.D of the Rapid City Municipal Code states that each lot shall be provided access from a public street. Staff is recommending that prior to City Council approval of the Preliminary Plat, the plat document be revised to show access to proposed Lot A or a Variance to the Subdivision Regulations must be obtained to waive the requirement that each lot shall be provided with access from a public street.

Fire Department: The Fire Department has indicated that all streets and turnarounds must be designed and constructed in compliance with the Street Design Criteria Manual and the Uniform Fire Code. In addition, fire hydrants will be required as per City and Uniform Fire Code or a Variance to the Subdivision Regulations must be obtained. The fire hydrants must be in place and operational prior to any building construction. The Fire Department has also indicated that street signs and lot addresses must be posted prior to or in conjunction with any building construction. Staff is recommending that the Uniform Fire Code be continually met.

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.

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