

# STAFF REPORT

July 3, 2002

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**No. 01PL127 - Preliminary Plat**

**ITEM 25**

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GENERAL INFORMATION:

PETITIONER	Doug Sperlich for Jeff Stone
REQUEST	<b>No. 01PL127 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	SW1/4 SE1/4, less Broadmoor Subdivision, less Block 1 of Broadmoor Southwest & less Mountain Shadows Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1, 2 and 3 of Block 1 of Sunset Heights Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.19 acres
LOCATION	At the current terminus of Broadmoor Drive
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Park Forest District
East:	Low Density Residential District (PRD)
West:	Low Density Residential District (PRD)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/14/2001
REPORT BY	Lisa Seaman

RECOMMENDATION:

**Staff recommends that the Preliminary Plat be continued to the July 25, 2002 Planning Commission meeting to allow the applicant time to submit additional required information:**

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This request was continued from the June 6, 2002 Planning Commission meeting. On June 21, 2002 the applicant's engineer indicated that revised design plans would be submitted on June 28, 2002 and requested that the Preliminary Plat request be continued to the July 25, 2002 Planning Commission meeting. The applicant is proposing to subdivide the subject property into three residential lots. The subject property is located east of the existing Broadmoor Subdivision. Currently, a structure is located in the northeast corner of the property and the applicant is constructing a single family dwelling in the vicinity of

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proposed Lot 2.

On October 15, 2001 the City Council approved a Layout Plat for this property with fifteen stipulations. The stipulations of approval addressed access, drainage, water, sewer, and wildland fire mitigation issues related to the proposed plat. With the exception of a few minor modifications to the proposed road alignment and lot configuration, this preliminary plat request is similar to the approved Layout Plat.

**STAFF REVIEW:** Staff has reviewed the request and has noted the following considerations:

Access: The applicant is proposing to access the subject property from Broadmoor Drive which is a private platted street. Staff noted in the Layout Plat review that the applicant must obtain written permission from the Broadmoor Homeowner Association allowing the proposed lots to take access from Broadmoor Drive. **To date this documentation has not been submitted for review and approval. In addition, documentation identifying the legal entity responsible for the long term maintenance of the private road must be submitted for review and approval.**

The existing Broadmoor Drive is approximately 1,230 feet in length. The applicant is proposing to extend the Broadmoor Drive to the northeast approximately 500 feet to serve the proposed subdivision. The maximum cul-de-sac length allowed by the Street Design Criteria Manual is 1,200 feet when located in a low wildland fire hazard area and 500 feet when located in a moderate/high wildland fire hazard area. The Fire Department has identified the southeastern portion of the property as a moderate/high wildland fire hazard area. Staff could support a Special Exception to the Street Design Criteria Manual if an intermediate turnaround that complied with the requirements of the Street Design Criteria Manual were provided at the current terminus of Broadmoor Drive. This would provide a turnaround before encountering the portion of the property that is a moderate/high wildland fire hazard area. The only alternative access available to the property is via the Sunset Vista Drive (section line highway) which has grades that exceed the maximum grades allowed in the Street Design Criteria Manual. Because of the location of a large water main and the close proximity of residential development, it is not feasible to reconstruct Sunset Vista Drive. The site plan submitted with the Preliminary Plat request shows that the existing turnaround located at the terminus of Broadmoor Drive does not currently comply with the requirements of the Street Design Criteria Manual. Staff is recommending that the applicant submit revised plans showing the redesign of the turnaround to comply with the Street Design Criteria Manual requirements. **To date, the applicant has not submitted the requested revised plans.**

The Street Design Criteria Manual requires a second access when forty or more dwelling units gain access from a single street. There are currently 37 dwelling units or developable lots in the existing Broadmoor development. The development of three additional dwelling units/lots would increase the total number of dwelling units taking access via Broadmoor Drive to forty, one more than allowed by the Street Design Criteria Manual to take access from a single access. Staff supports the Special Exception to the Street Design Criteria Manual to allow this number of lots to take access from single access because it is the minimum adjustment necessary and the alternative access along the section line highway

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does not meet the minimum standards for an access as required by the Street Design Criteria Manual.

Section Line Highway: A section line highway is located along the south property line. The applicant has submitted plans for an interior road that will provide access to the three lots proposed on this Preliminary Plat. The Subdivision Regulations require that at the time of platting the section line highway right of way must be improved, a Subdivision Regulation Variance must be obtained to waive the requirement for improvements of that portion of the section line highway adjacent to the proposed subdivision or the section line highway that lies within the subject property may be vacated on the proposed plat. However, the applicant must submit a vacation of right of way request to vacate the entire section line highway. This would require that the petition also be signed by the adjacent property owner. **To date, the applicant has not submitted a request to vacate the section line right of way or a subdivision variance request to waive the required section line right of way improvements.**

Drainage plans: The Engineering Division has reviewed the drainage plans that were submitted with this Preliminary Plat and is requesting that the applicant provide some additional drainage design information. Staff is concerned that the additional drainage generated by this subdivision will have a negative impact on the existing Broadmoor Subdivision. The applicant will need to provide detailed information to insure that the downstream facilities can handle the increased runoff and that they have the legal right to use the facilities. **To date, the applicant has not submitted this requested information.**

Water and sewer systems: The City has completed construction of a water line through the subject property. The Engineering Division has reviewed the applicant's plans for the extension of sewer service to the proposed lots and noted revisions that must be completed prior to Preliminary Plat approval. In addition, the Engineering Division has indicated that additional easements need to be dedicated to accommodate the water, sewer and storm drainage utilities that will serve this proposed subdivision. **To date, the revisions have not been submitted.**

Road Plans: Section 16.20.040 of the Rapid City Municipal Code requires that detailed plans including cross-sections of the proposed street be submitted for review and approval. The Engineering Division has noted that the plans submitted for the proposed extension of Broadmoor Drive do not include all the detail required for complete review and that the applicant must provide geotechnical data for the construction of the extension of Broadmoor Drive. The road plans must also include the location of street lights. **To date, the requested information has not been submitted.**

Sidewalks: The Preliminary Plat shows that the three proposed lots will be bisected by the extension of Broadmoor Drive and that no buildings will be allowed on the north side of Broadmoor Drive. Because buildings will only be allowed on the south side of Broadmoor Drive in this subdivision the applicant's site plan identified the provision of four foot wide property line sidewalk only on the south side of the proposed extension of Broadmoor Drive. However, Section 16.16.090 of the Rapid City Municipal Code states that "sidewalks shall be constructed on both sides of all public and private streets in conformity with the design

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standards set forth in the Street Design Criteria Manual.” Therefore, the applicant must submit a request for a variance to the Subdivision Regulations to have this requirement waived. **To date, a variance to the Subdivision Regulations has not been submitted.**

Wild Land Fuel Management Plan: The Fire Department has identified the southeast portion of the property as a moderate/high wild fire hazard area. As noted in the Layout Plat review of this property, a wildland fire mitigation plan must be submitted for review and approval by the Fire Department. **To date this plan has not been submitted.**

Accessory Use: As mentioned in the General Comments section of this report a structure is currently located in the northeast corner of the property. The site plan submitted with this request identifies the structure as a barn. In the Park Forest Zoning District the only principal uses permitted are detached single family dwellings, transportation and utility easements, signs and home occupations. When the subject property is subdivided the barn will be located on a lot by itself with no other permitted principal structure creating an illegal non-conforming structure. Staff is recommending that prior to Final Plat approval of the Final Plat the applicant either remove the barn or post financial surety in the amount necessary to remove the barn.