

STAFF REPORT  
July 27, 2006

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**No. 06PL082 - Preliminary Plat**

**ITEM 68**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 06PL082 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	A parcel of land described as the SW1/4 SE1/4 SE1/4 NE1/4; SE1/4 SW1/4 SE1/4 NE1/4; NW1/4 NE1/4 NE1/4 SE1/4; NE1/4 NW1/4 NE1/4 SE1/4, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1, 2 and 3, Seljeskog Subdivision, located in the SE1/4 NE1/4 NE1/4 SE1/4, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.00 acres
LOCATION	2151 Skyline Ranch Road
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 water and on site septic system
DATE OF APPLICATION	5/26/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION:

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

1. Prior to submittal of a Final Plat application, the plat document needs to be corrected to read "Chapter 17.08.035" on the Growth Management Director Signature block;
2. Prior to Preliminary Plat approval by the City Council, a cost estimate for any subdivision improvements shall be submitted for review and approval;
3. Prior to Preliminary Plat approval by the City Council, turnarounds for the cul-de-sacs every 500 feet shall be submitted for review and approval;
4. Prior to Preliminary Plat approval by the City Council, road construction plans for the access easements shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 47 foot wide right-of-way and constructed with a minimum 22 foot wide paved surface, curb, gutter, street light

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5. conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained; Prior to Preliminary Plat approval by the City Council, road construction plans for the right-of-way **as indicated in the 1932 deed** shall be submitted for review and approval. In particular, the street shall be constructed with a minimum 22 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision regulations shall be obtained or the right-of-way shall be eliminated through the appropriate legal procedures;
6. Prior to Planning Commission approval, information for a typical street section for a subcollector street with 47 foot wide right-of-way and 22 foot pavement width for the access easement shall be submitted for review and approval;
7. An Air Quality permit is required prior to any development of the proposed lots;
8. Prior to Planning Commission approval, a utility distribution plan shall be submitted for review and approval;
9. Prior to Final Plat submission, a Variance to the Zoning Ordinance to allow a lot that does not abut a public street for a distance of not less than 50 feet shall be obtained from the Zoning Board of Adjustment or the plat shall be revised accordingly;
10. **Prior to Preliminary Plat approval by the City Council, easements for intermediate turnarounds for fire apparatus, not to exceed 500 foot intervals, shall be indicated on the plat and construction plans provided for review and approval;**
11. 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 Growth Management Department;
12. Prior to Preliminary Plat approval by the City Council, the applicant shall submit a Wildland Fire Mitigation Plan in consultation with the Fire Department;
13. The provisions of the 2003 International Fire Code shall be met at all times; and,
14. 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.

**GENERAL COMMENTS: This staff report has been revised as of July 19, 2006. All revised and/or added text is shown in bold print. This item was continued at the July 6, 2006 Planning Commission meeting at the applicant's request.** The applicant has submitted a Preliminary Plat to subdivide the subject property into three lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, and additional pavement and additional right-of-way along the access easements located on the plat document. (See companion item #06SV035.)

The property is located at 2151 Skyline Ranch Road, west of Tower Road and south of Skyline Drive. Currently, the property includes a residential structure and garage. On July 17, 1996, the Zoning Board of Adjustment approved a variance to Chapter 17.08.040E to allow a dwelling on a lot that does not abut a public street for a distance of not less than 50 feet in the Park Forest Zoning District.

**STAFF REVIEW:** Staff has reviewed the Preliminary Plat application and noted that additional information is needed in order to complete the review of this application. A 1932 recorded deed indicates that a 30 foot centerline right-of-way is located on the property. However,

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that information was not included in the plat drawing. The right-of-way must be shown on the plat and the applicant must improve the right-of-way to the City's Subdivision standards or obtain a variance for the improvements. The Subdivision Variances requested for the improvements cannot be evaluated without additional street construction information for the access easement. In addition, the variance approved in 1996 was for the existing lot. The Zoning Regulation requires that the three platted lots abut a public street for a distance of not less than 50 feet or a Variance shall be obtained. Three exceptions to Rapid City's Design Standard and Criteria have been requested including: an exception to provide common use visitor parking, an exception to provide a turnaround in the cul-de-sac, and an exception to the cul-de-sac length. Those exceptions are currently being evaluated by staff. In order for staff to review the Preliminary Plat and make a recommendation to the Planning Commission, additional information is necessary including:

- Fire Flows and fire hydrant locations;
- Water service lines to the proposed lots;
- Well depth information for well indicated on the site plan;
- Extension of the water main to the north property line;
- Information on turnaround if Exception to the cul-de-sac is not granted;
- Pavement width for access easement;
- Typical street section information;
- Drainage plan information if the variance is not obtained for all access improvements;
- Information regarding sanitary sewer service to include percolation tests;
- Verify that access is available to the property located north of the subject property;
- Utility distribution plan;
- Lots shall abut a public street for a distance of not less than 50 feet or a Variance to the Park Forest Zoning Regulations, Chapter 17.08.040E must be obtained; and,
- Right-of-way location identified on the plat as indicated on the 1932 recorded deed.

The applicant has provided additional information and staff has reviewed the Preliminary Plat application and noted the following:

Fire Flows: The fire flows at the subject property indicate 1430 gallons per minute (gpm). Based on the size of structures in the area, required fire flows actually exceed 2000 gpm unless the structures are sprinklered. As such, due to the lack of adequate fire flows and the size of the structures, any future residences must be fire sprinklered. Any additional structures must also be sprinklered if they are over 3600 square feet in size.

Fire hydrants must be located within 600 feet of all parts of the structure as per the International Fire Code. A fire hydrant is located within 600 feet of the existing structure and meets this requirement. Prior to obtaining a building permit for any future construction, the fire hydrant locations must be approved by the Fire Department.

Visitor Parking: An exception to Rapid City's Design Standard and Criteria to provide visitor parking was submitted and the exception was granted to waive the requirement to provide additional visitor parking.

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Turnarounds: The subject property is located in a high wildland fire area requiring that intermediate turnarounds for fire apparatus, not to exceed 500 foot intervals, must be provided or an exception to Rapid City's Design Standard and Criteria must be obtained. Exceptions to Rapid City's Design Standard and Criteria to provide a turnaround in the cul-de-sac and for the maximum length of the cul-de-sac were submitted. Both exceptions were denied and have been appealed to the Public Works Committee. The Public Works Committee sent the items to City Council without recommendation. The requests will be considered by the City Council at the July 5, 2006 City Council meeting. **The City Council approved the exception to Rapid City's Design Standard and Criteria for the maximum length of the cul-de-sac and denied without prejudice the exception to the Standard to provide a turnaround in the cul-de-sac. Prior to Preliminary Plat approval by the City Council, the applicant shall provide easements and construction plans for turnarounds at 500 foot intervals as required by the Street Design Criteria. (Revised 7-19-06)**

Access Easements: The subject property is located in a high wildland fire area and as such, a 47 foot right-of-way with a 22 foot paved surface is required for these access easements. The proposed right-of-way for the access easements is 45 feet with a paved surface of approximately 12 to 13 feet in width. Revised construction plans must be submitted prior to City Council approval indicating the required right-of-way and street width or a Variance to the Subdivision Regulations must be obtained. In addition, grading and drainage information for the street right-of-way shall be submitted for review and approval in conjunction with the revised construction plans. In conjunction with this Preliminary Plat application, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement for additional pavement and additional right-of-way along the access easements (06SV035).

In addition, the access easements must be built to City Street Design Standards to include curb, gutter, sidewalks, street light conduit and sewer or a Variance obtained. In conjunction with this Preliminary Plat application, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalks, street light conduit and sewer (06SV035).

Street section: Prior to Planning Commission approval, information for a typical subcollector street section with a 47 foot right-of-way and 22 foot paved surface for the access easements shall be submitted for review and approval.

Plat Document: Prior to Final Plat application, the plat document needs to be corrected to read Chapter 16.08.035 in lieu of Chapter 16.08.030 on the Growth Management Director Signature block.

Wildland Fire Mitigation Plan: The subject property is located within a High Wildland Fire area and as such, prior to City Council approval, the applicant shall submit a Wildland Fire Mitigation Plan in consultation with the Fire Department.

Utility Plan: Prior to Planning Commission approval, a utility distribution plan shall be submitted for review and approval.

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Air Quality: An Air Quality permit is required prior to any development of the proposed lots.

Right-of-way: A 1932 recorded deed indicates that right-of-way access to property located north of the subject property is to be granted through the subject property. Prior to Preliminary Plat approval by the City Council, road construction plans for the right-of-way shall be submitted for review and approval. In particular, the street shall be constructed with a minimum 22 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision regulations shall be obtained or the right-of-way shall be eliminated through the appropriate legal procedures.

Zoning Board of Adjustment: Currently, the subject property does not abut a public street. On July 17, 1996, a variance to the requirement that all lots shall abut a public street for a distance of not less than 50 feet in the Park Forest Zoning District was granted by the Zoning Board of Adjustment. However, a new development with additional lots and a different lot configuration is now proposed. As such, an application for a variance shall be submitted to the Zoning Board of Adjustment, to request a variance to the Park Forest Zoning District to allow a lot that does not abut a public street for a distance of not less than 50 feet. (Revised 6-30-06)

Staff is recommending that the Preliminary Plat be continued to the July 6, 2006 Planning Commission meeting to allow the additional information to be submitted.

Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations. Staff recommends that the Preliminary Plat be approved with the stated stipulations. (Revised 6-30-06)