

STAFF REPORT
February 19, 2015

No. 15PL008 - Preliminary Subdivision Plan

ITEM 3

GENERAL INFORMATION:

APPLICANT	Lisa R. Schneider - Estate of Patricia Berglund
AGENT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Patricia M. Berglund
REQUEST	No. 15PL008 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	The north 825 feet of the NE1/4 of the SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 4 and 5 of Squirrely Acres
PARCEL ACREAGE	Approximately 7.21 acres
LOCATION	5455 Berglund Rd
EXISTING ZONING	Park Forest District (Planned Development Designation)
FUTURE LAND USE DESIGNATION	Forest Conservation
SURROUNDING ZONING	
North:	Park Forest District
South:	Office Commercial District (Planned Development)
East:	Business Park District
West:	Park Forest District (Planned Development)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	January 23, 2015
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulation:

1. Prior to submittal of a Final Plat application, a recordable document shall be submitted for review and approval to 1) secure maintenance of Berglund Road; 2) ensure that fire sprinkler protection for all residential structures be provided and designed and installed as per the provisions established within NFPA13D; and, 3) ensure that all landscaping and building materials conform with the Rapid City Fire Department Survivable Space

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Initiative Guidelines. The approved document shall be submitted with the Final Plat application for recording.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to subdivide a 7.21 acre parcel into two lots sized 3.01 acres and 4.2 acres, respectively. The lots are to be known as Lots 4 and 5 of Squirrely Acres. The applicant has also submitted an Initial Planned Development application (File #15PD002) to allow a single family residence to be located on each of the two proposed lots.

On October 21, 2011, the City Council approved a Layout Plat (File #11PL046) to create two lots as shown on this application. The City Council also approved a Variance to the Subdivision Regulations to waive the requirement to improve Berglund Road and the adjacent section line highway with the stipulation that the applicant sign a waiver of right to protest any future assessment for the street improvements. The applicant has subsequently signed the Waiver of Right to Protest document and a recorded copy has been submitted with this application.

The property is located approximately 300 feet south of the intersection of Fox Road and Berglund Road. Currently, the property is void of any structural development.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the installation of public improvements. Approval of a Preliminary Subdivision Plan by the City Council is required before an applicant can proceed with Development Engineering Plans and a Final Plat application for all or part of the area within the Preliminary Subdivision Plan application.

STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Zoning: The property is currently zoned Park Forest District with a Planned Development Designation. As previously noted, the applicant has submitted an Initial Planned Development application to allow a single family residence to be located on each of the two proposed lots. The applicant should be aware that prior to issuance of a building permit, a Final Planned Residential Development must be approved by the Planning Commission pursuant to Chapter 17.50.050 of the Rapid City Municipal Code. The applicant should also be aware that a minimum 58 foot setback is required along the section line highway located along the east lot line of the property.

Exceptions: The applicant has submitted and the City has approved an Exception request to allow a 17 foot wide graveled surface in lieu of a minimum 24 foot wide paved surface and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Berglund Road with the stipulation that all fire safety and fire mitigation be provided as per Rapid City Fire Department requirements. An Exception was also approved to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the section line highway as it abuts the property since access to the lots will be taken from Berglund Road and since a waiver of right to protest any future

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assessment for the improvement has been previously recorded for the section line highway as a part of the previously approved Layout Plat. Lastly, the applicant submitted and the City approved an Exception request to allow a private access easement to serve five lots in lieu of a maximum of four lots with the stipulation that all fire safety and fire mitigation be provided as per Rapid City Fire Department requirements. Staff recommends that prior to submittal of a Final Plat application, a recordable document be submitted for review and approval securing the stipulations of approval. In addition, upon submittal of a Final Plat application, the approved document must be submitted for recording.

Water: The proposed lots are located more than 400 feet from an existing central water system. As such, the applicant has indicated that the proposed lots will be served by individual well(s). Since the private well will not provide fire flow requirements, a recordable document must be submitted for review and approval to ensure that fire sprinkler protection for all residential structures is provided and to ensure that all landscaping and building materials conform with the Rapid City Fire Department Survivable Space Initiative Guidelines. As noted above, the recordable document must be submitted for review and approval prior to submittal of the Final Plat application. In addition, the approved document must be submitted for recording with the Final Plat application.

Sewer: The property is located more than 400 feet from an existing central sewer system. As such, the applicant has indicated that the proposed lots will be served by individual on-site wastewater systems. The applicant should be aware that an on-site wastewater plan must be submitted for review and approval with the building permit application.

Berglund Road: Berglund Road is located along the north and west lot lines of the property and is classified as a lane place street requiring that it be located within a minimum 50 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Berglund Road is located within a 40 foot wide private access easement and constructed with an approximate 17 foot wide graveled surface. The proposed plat identifies the dedication of ten additional feet along the easement for a total width of 50 feet. As previously noted, the City has approved an Exception request waiving the requirement to improve Berglund Road.

The Street Design Criteria Manual states that an easement may serve up to four lots. As a result of this plat, Berglund Road will serve five lots. As previously noted, the City has approved an Exception request to allow the access easement to serve five lots in lieu of four lots. A stipulation of approval requires that a recordable document be submitted for review and approval securing maintenance of the access easement. In addition, the approved document must be submitted for recording upon submittal of the Final Plat application.

Platting Process: Since the Exceptions to waive the requirement to improve streets and extend utilities have been approved, a Development Engineering Plan application is not required. Subsequently, the applicant can proceed with the submittal of a Final Plat application. However, the \$250.00 application fee plus \$20.00 per lot that is collected at the time of submittal of a Development Engineering Plan application must be paid as a part of the Final Plat submittal.

The proposed plat generally complies with all applicable Zoning and Subdivision

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Regulations assuming compliance with the stated stipulations.