



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

Growth Management Department

300 Sixth Street

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MEMORANDUM

TO: City Council

FROM: Vicki Fisher, Planner III

DATE: July 29, 2004

RE: Special Exception to allow access from Skyline Drive to serve Lot 2, Block 13 located in Section 2, T1N, R7E, BHM, Rapid City, South Dakota

On May 3, 2004, the City Council approved a Layout Plat to reconfigure two lots, including the above legally described property. A stipulation of approval for the Layout Plat requires that the plat document provide a non-access easement along Skyline Drive. In addition, it was noted that an access easement, classified as a lane place street, was located along the west lot line to serve as access to the property. It was also noted that Skyline Drive is classified as a collector street on the City's Major Street Plan. The access easement is classified as the lesser order street, and, as such, requires that access be taken from the easement in lieu of Skyline Drive as per the Street Design Criteria Manual. The applicant has subsequently requested a special exception to the Street Design Criteria Manual to allow access from Skyline Drive which is not the lesser order street.

The street design standards for a collector street require that it 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 66 foot wide right-of-way and constructed with an approximate 24 foot wide paved surface. In addition to the above referenced Layout Plat, the City Council also approved a Variance to the Subdivision Regulations to waive the requirement that Skyline Drive be improved to City street design standards with the stipulations that an additional five feet of right-of-way be dedicated and that the property owner sign a waiver of right to protest any future assessment for the improvements. However, to date Skyline Drive is a sub-standard collector street. In addition, the existing grades and curvature design of Skyline Drive significantly impacts sight distance visibility. Allowing additional approaches onto the street allows additional traffic onto a sub-standard collector street and compromises traffic safety standards along Skyline Drive.



EQUAL OPPORTUNITY EMPLOYER

The applicant's Engineer has submitted a letter summarizing his findings and engineering opinions regarding the construction of a driveway from the easement verses Skyline Drive. Staff concurs that the 15% driveway gradient from the easement is more than the 12% driveway gradient from Skyline Drive; however, the Rapid City Municipal Code states that a driveway may be up to 16% gradient. As such, the driveway from the access easement meets City standards and preserves the integrity of Skyline Drive as a scenic roadway as well as precludes any additional traffic on a sub-standard collector street.

The applicant has also submitted a site plan identifying the future location of a single family residence to be located 25 feet from the Skyline Drive right-of-way. In 1996, the City Council approved a Planned Residential Development for the Skyline Drive Subdivision requiring a minimum 100 foot setback from Skyline Drive. The City Council noted that "structures built too close to the roadway could result in a corridor affect along the roadway and obstruct the scenic views from Skyline Drive. Structure locations and elevations will need to be developed so that the view of the ridgeline of Skyline Drive is not adversely affected". Even though the subject property is not located within a Planned Residential Development, the City Council may wish to review the impact the proposed setback and the direct access onto Skyline Drive may have on this scenic roadway.

It should be noted that that the City of Rapid City has requested that Skyline Drive be designated as a State Scenic Byway. South Dakota Department of Transportation staff has expressed concerns that the increasing number of driveways and structural improvements in close proximity to Skyline Drive may negatively affect the scenic qualities of this route.

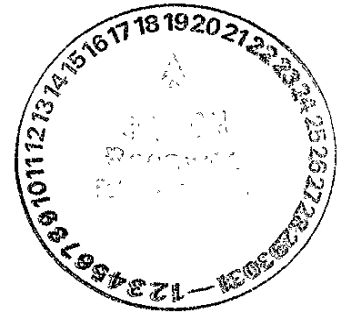
Recommendation: Staff is recommending that the Special Exception to allow access from Skyline Drive which is not the lesser order street be denied.



cetec@rushmore.com

July 16, 2004

Mr. Ted Vore, P.E., L.S.
Acting Director of Public Works
City of Rapid City
Public Works
300 6th Street
Rapid City, SD 57701-2726



Re: **Daniel and Lori Smith**
1802 Valentine Street
Lot 2, Block 10 and Lot 2, Block 13 in Section Z, T1N, R7E.

Dear Mr. Vore:

On behalf of Daniel and Lori Smith, I am enclosing an application for a special exception to a plat stipulation requirement for the referenced property. The property is adjacent to Skyline Drive, on the north side of Dinosaur Park.

On May 3, 2004, the City Council approved a variance to subdivision regulations and a layout plat for a replat of the Smith's property. The variance waived subdivision regulations for street and utility improvements to Skyline Drive and for a private easement connected to Valentine Street. The layout plat approval contained a stipulation that a non-access easement be provided along the entire Skyline Drive frontage of the proposed plat.

The Smiths are requesting an exception to the no access easement to allow a single driveway approach from Skyline Drive for proposed Lot 2 only. The proposed exception would allow a driveway in the location shown on the enclosed Exhibit A. The basis for the requested special exception is that the proposed lot cannot be accessed from the Valentine Street easement on the west side of the lot due to steep topography.

Growth Management has advised us that a special exception can be considered separately from the preliminary plat submittal. The Smiths desire to have this item considered by the Public Works Committee and Council prior to incurring the cost for platting. They do not consider the subject lot to be marketable without the no-access exception.

I am enclosing the following information to support the application.

- Planning Commission Staff Report regarding layout plat.



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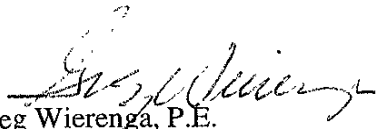
Mr. Ted Vore, P.E., L.S.
Acting Director of Public Works
City of Rapid City
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Page 2.

- Letter Report for Dan Smith Regarding Driveway Alternatives.

Thank you for your consideration. Let me know if you need additional information.

Sincerely,

CETEC Engineering Services, Inc.


Greg Wierenga, P.E.
Project Manager

GMW/sjf

Enclosures: as noted

cc: Daniel and Lori Smith

STAFF REPORT
April 22, 2004

No. 04PL042 - Layout Plat

ITEM 18

GENERAL INFORMATION:

PETITIONER	Daniel and Lori Smith
REQUEST	No. 04PL042 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 2, Block 10 and Lot 2 of Block 13, located in Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.16
LOCATION	1802 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/General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	03/26/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, 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;
2. Upon submittal of a Preliminary Plat application, 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;
3. Upon submittal of the Preliminary Plat application, 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;
4. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for that portion of the access easement located on the subject property. In particular, the road construction plans shall identify the street located within a minimum 49 foot wide right-of-way with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the

STAFF REPORT
April 22, 2004

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5. Subdivision Regulations shall be obtained;
Upon submittal of the Preliminary Plat application, road construction plans for Skyline Drive shall be submitted for review and approval. In particular, the road construction plans shall identify Skyline Drive located within 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 or a Variance to the Subdivision Regulations shall be obtained;
6. Upon submittal of a Preliminary Plat, a cost estimate of the subdivision improvements shall be submitted for review and approval;
7. Upon submittal of a Preliminary Plat, the plat document shall be revised to show the dedication of five additional feet of right-of-way along Skyline Drive or a Variance to the Subdivision Regulations shall be obtained;
8. Upon submittal of a Preliminary Plat, the plat document shall be revised to show a non-access easement along Skyline Drive;
9. Prior to submittal of a Final Plat, a Variance to Zoning Ordinance to reduce the minimum required lot size in the Park Forest District from three acres to 1.1 acres shall be obtained; and,
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.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to reconfigure two 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, water, sewer and pavement improvements along an access easement and Skyline Drive. (See companion #04SV021.)

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 one of the proposed lots and the second lot is void of any structural development.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or a special exception whichever is applicable.

STAFF REVIEW:

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

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Lot Size: The property is zoned Park Forest District requiring a minimum three acre lot size. Currently, the lots are sized .46 acres and 3.7 acres, respectively. The proposed Layout Plat identifies that the reconfigured lots will be sized 1.1 acres and 3 acres respectively. As such, prior to submittal of a Final Plat, a Variance to Zoning Ordinance to reduce the minimum required lot size in the Park Forest District from three acres to 1.1 acres must be obtained.

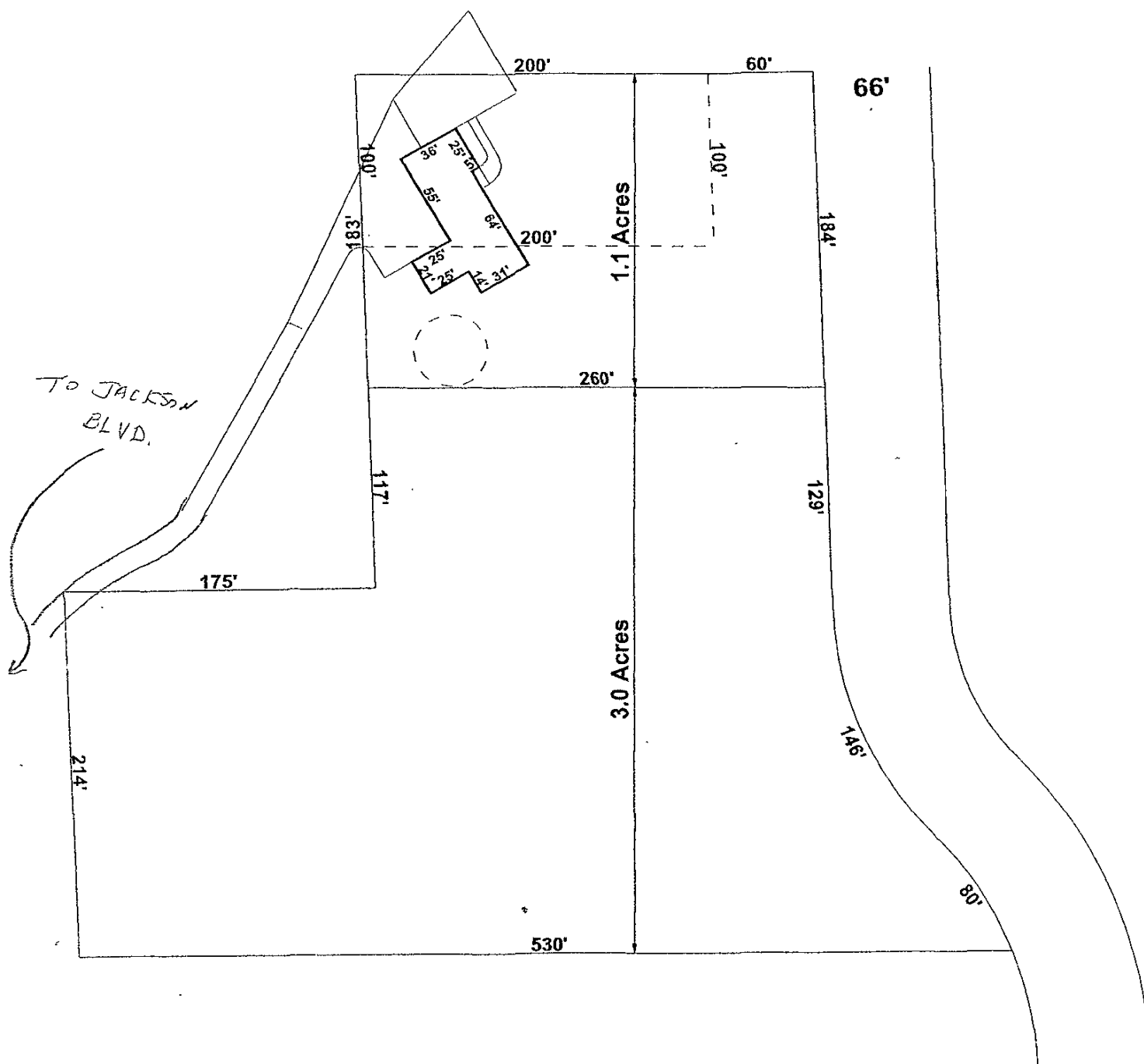
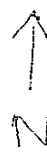
Sewer and Water: Currently, sewer and water service lines have been extended along Valentine Street to serve the subject property. As such, staff is recommending that upon submittal of a Preliminary Plat application, water and sewer plans prepared by a Registered Professional Engineer showing the extension of water and sewer mains be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Access Easement: Currently, an access easement extending north from Valentine Street serves as legal access to the subject property. The access easement 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. Currently, the street is located in a 40 foot wide easement and constructed with an approximate 20 foot wide graveled road. Upon submittal of a Preliminary Plat, road construction plans shall be submitted for review and approval as identified for that portion of the access easement located on the subject property or a Variance to the Subdivision Regulations must be obtained.

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 66 foot wide right-of-way and constructed with an approximate 24 foot wide paved surface. As such, staff is recommending that upon submittal of a Preliminary Plat, road construction plans be submitted for review and approval. In addition, the plat document must be revised to show the dedication of five additional feet of right-of-way along Skyline Drive or a Variance to the Subdivision Regulations shall be obtained.

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.

Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.





cetec@rushmore.com

July 16, 2004

Mr. Daniel Smith
1802 Valentine Street
Rapid City, SD 57702

Re: Driveway Access – Lot 2, Smith Subdivision

Dear Mr. Smith:

This letter summarizes findings and engineering opinions regarding driveway access to proposed Lot 2 of Smith Subdivision. The subject property is adjacent to the west side of Skyline Drive, just north of Dinosaur Park. Proposed Lot 2 is part of a replat of existing Lot 2, Block 10 and Lot 2, Block 13 in Section 2, T1N, R7E, Rapid City. The location is shown in the vicinity map labeled Figure 1 and attached to this letter report.

You requested that I evaluate the feasibility of constructing residential driveway access to the proposed Lot 2. My understanding is that your home is located on proposed Lot 1 and that you will maintain access to this lot using the existing 40' access easement and roadway connected to Valentine Street. You plan to sell Lot 2 as a residential building site.

The proposed Lot 2 is characterized by rugged terrain and steep slopes in the range of 1 ½:1 to 2:1 over the westerly two thirds of the three-acre lot. About one acre adjacent to Skyline Drive on the easterly portion of the lot has flatter terrain with slopes ranging generally from 3:1 to 10:1. The easterly one acre of the site is the likely building site for this lot.

I considered two principal alternatives for driveway access to the building site, which was assumed to be the flattest part of the lot at elevation 3520 to 3530.

- A - Driveway From 40' Access Easement (Valentine Street) on the West.
- B - Driveway from Skyline Drive on the East.

Alternative A is illustrated conceptually on Figure 2 attached to this report. The driveway alignment commences on proposed Lot 1 at the existing driveway to your home, and traverses up the steep westerly slope of the lot using a series of switchback curves. The overall driveway length is approximately 1,000' with a gradient averaging about 15%. This alternative would require an easement from your proposed Lot 1. Construction of this type of driveway would essentially destroy the hillside and would create severe



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Mr. Daniel Smith
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problems with slope stability, erosion and safety, among others. It is my opinion that this option is technically **not feasible** and is **not recommended**.


Alternative B is illustrated conceptually on Figure 3 attached hereto. This option results in a driveway length of about 200' at an average gradient of about 12%. The connection to Skyline is at a natural swale in the terrain which provides for satisfactory sight distances for Skyline traffic. A moderate amount of grading and surface disturbance will be required. This option appears to be technically feasible and is the **recommended alternative** for access to the building site.

In summary, it is my opinion that access to the buildable portion of proposed Lot 2 is feasible only from Skyline Drive. The recommended location for the approach to Skyline is approximately 60' north of the southeast corner of Lot 2 as illustrated on Figure 3.

Please let me know if you have additional questions or concerns.

Sincerely,

CETEC Engineering Services, Inc.


Greg Wierenga, P.E.
Project Manager

Enclosures: Figures 1, 2 and 3

GMW/sjf

July 16, 2004 11:08:05 a.m.
Drawing: FIGURE 1 VICINITY MAP DWG (FOX) (C:\CETEC\04135 SMITH REPLAT\)

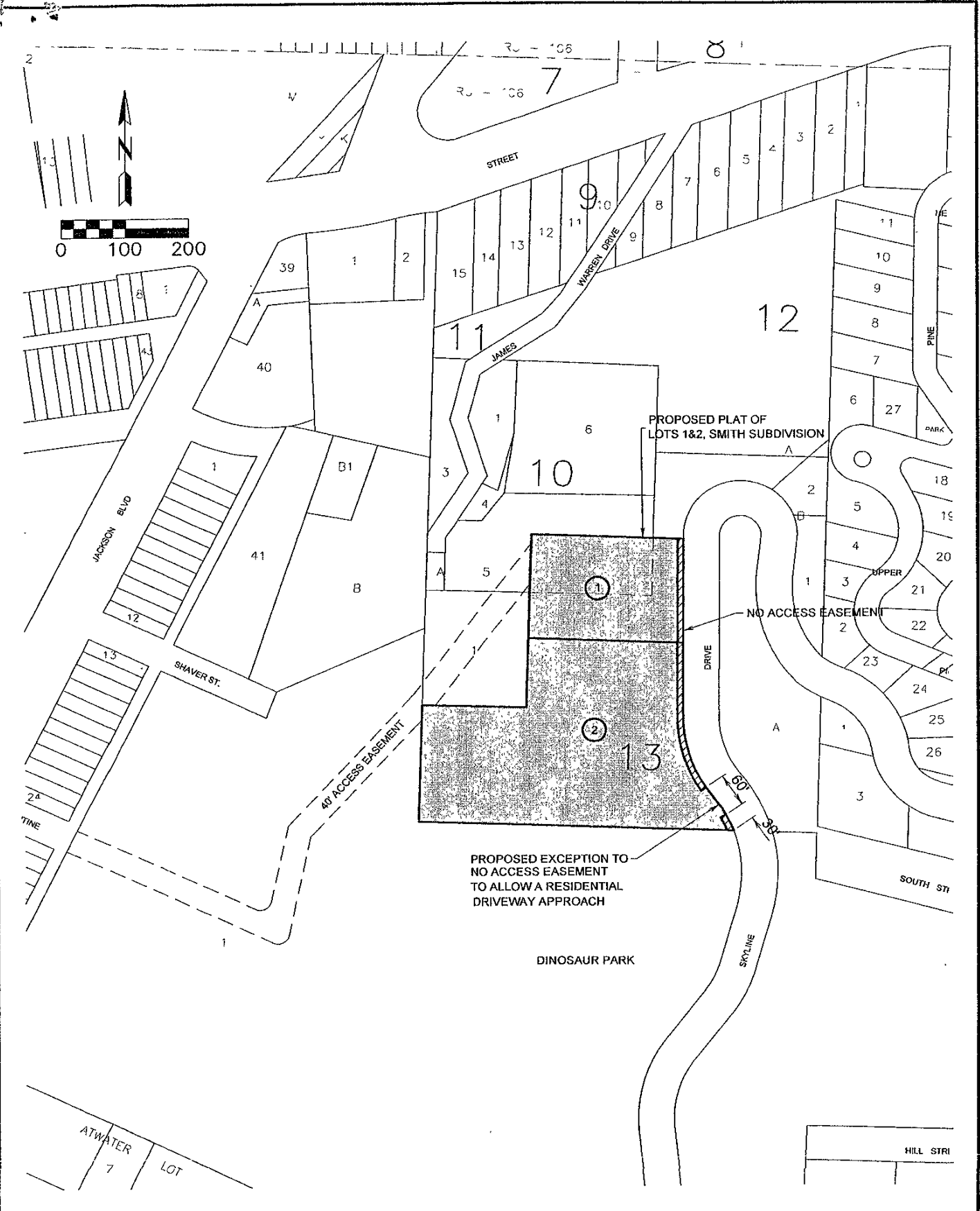


FIGURE 1
VICINITY MAP / DANIEL SMITH REPLAT



July 18, 2004 11:04:23 a.m.
Drawing: FIGURE 2.DWG (FOX) (C:\CETEC\04135 SMITH REPLATV)

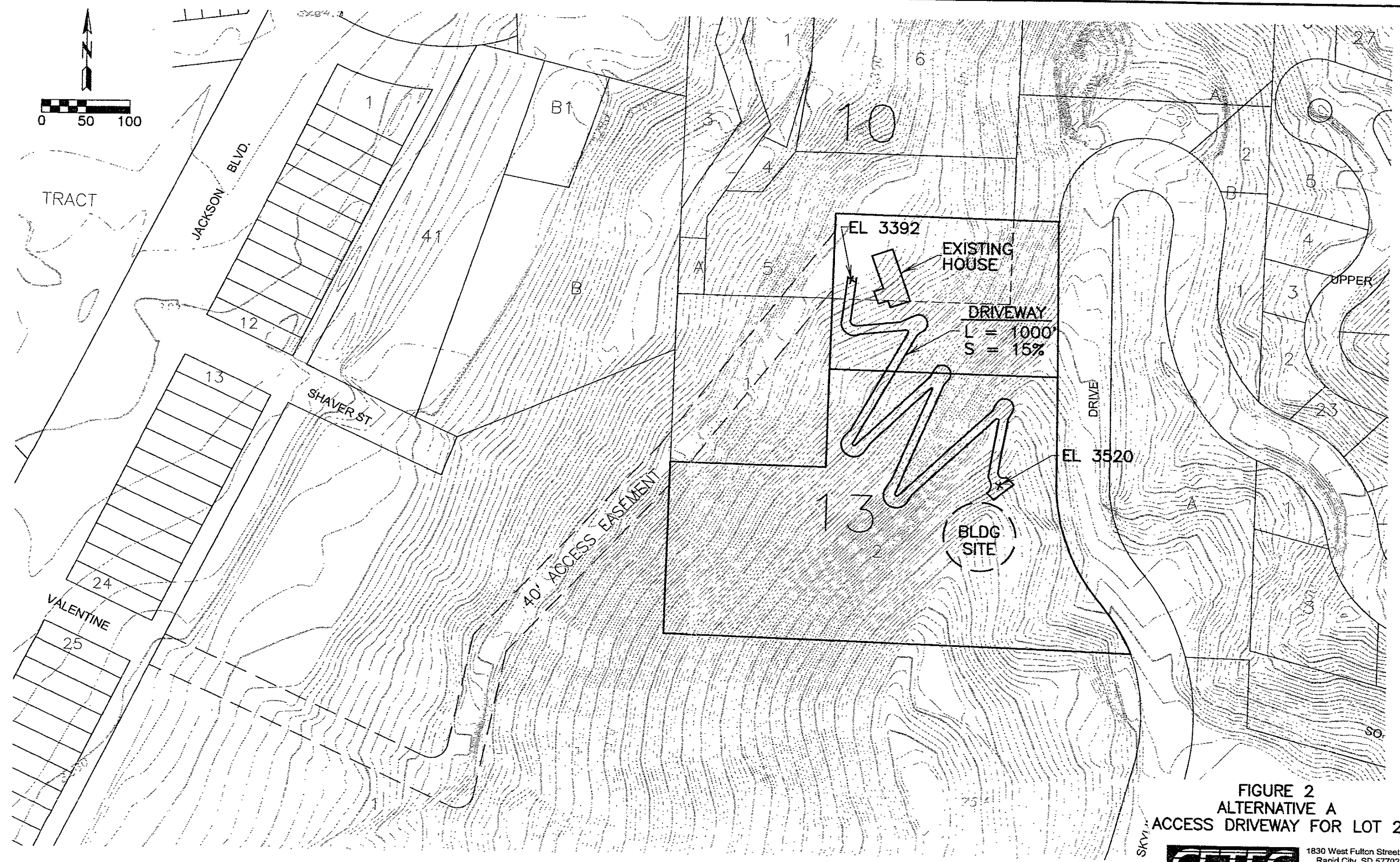


FIGURE 2
ALTERNATIVE A
ACCESS DRIVEWAY FOR LOT 2

July 16, 2004 11:12:46 a.m.
Drawing: FIGURE 3.DWG (FOX) (C:\CETEC\04135 SMITH REPLATV)

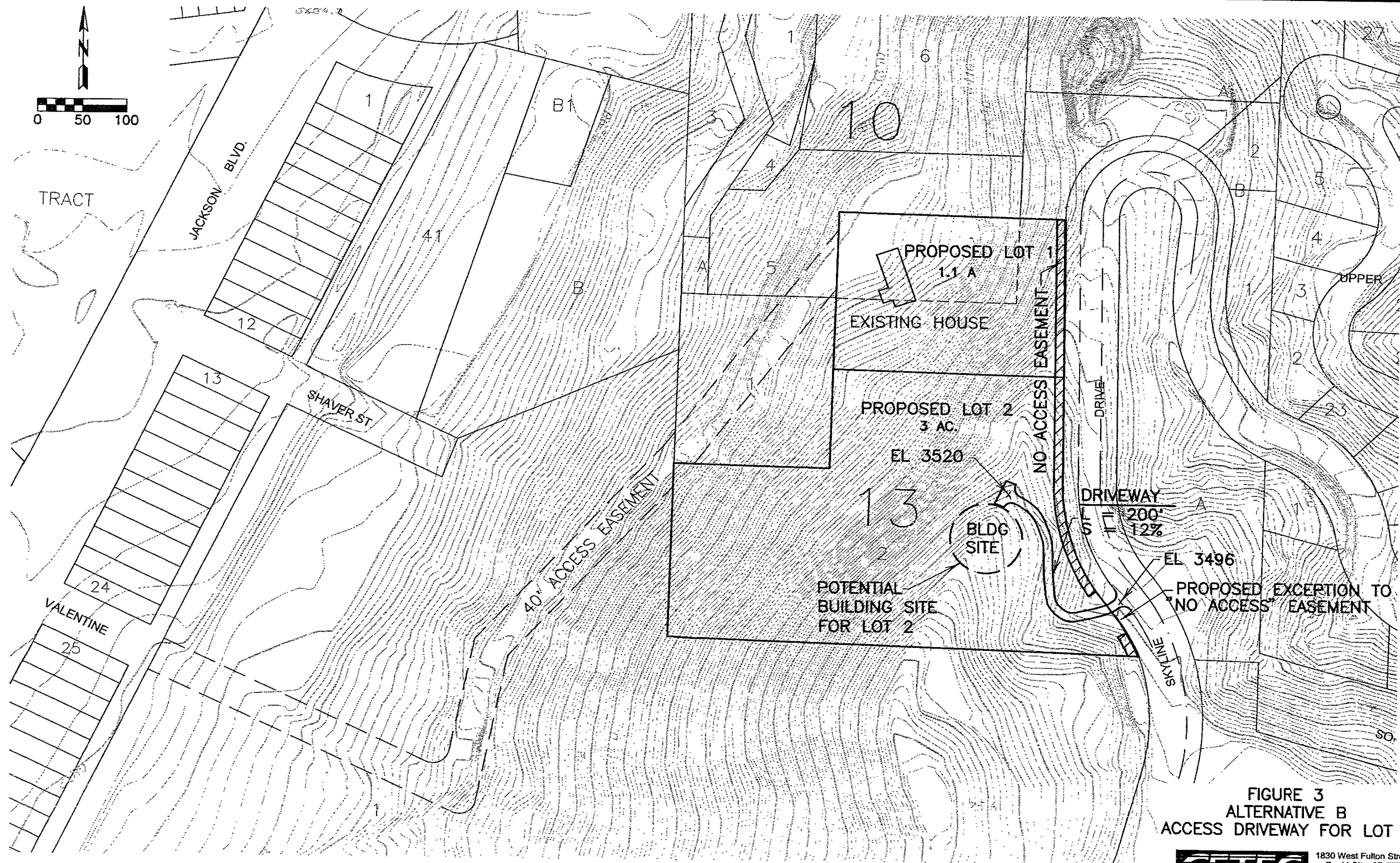


FIGURE 3
ALTERNATIVE B
ACCESS DRIVEWAY FOR LOT 2