

STAFF REPORT
April 8, 2004

No. 04PL037 - Preliminary Plat

ITEM 5

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers Inc. for Rapid City Congregation of Jehovah's Witnesses
REQUEST	No. 04PL037 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 1 thru 4, Block 7; Vacated Oriole Drive R.O.W. and Lots 5 and 6 of Block 8 of Morningside Addition, Addendum, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 Revised of Block 7 of Morningside Addition, Addendum, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.21 acres
LOCATION	West of West Boulevard North along Oriole Drive and Thrush Drive
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	High Density Residential District
South:	Medium Density Residential District w/Planned Residential Development
East:	Medium Density Residential District / Public District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	03/12/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;
2. Prior to Preliminary Plat approval by the City Council, road construction plans for Thrush Drive shall be submitted for review and approval. In particular, Thrush Drive shall be 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;

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3. Prior to Preliminary Plat approval by the City Council, road construction plans for West Boulevard North shall be submitted for review and approval. In particular, West Boulevard North shall be constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to Preliminary Plat approval by the City Council, road construction plans for Oriole Drive shall be submitted for review and approval. In particular, Oriole Drive shall be 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;
5. All Uniform Fire Code shall be continually met;
6. Prior to submittal of the Final Plat, the applicant shall enter into an agreement assuming responsibility for any replacement of surface improvement(s) for that portion of Oriole Drive to be vacated; and,
7. Upon submittal of the Final Plat, 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 Preliminary Plat to combine six lots into one lot. In addition, the plat document identifies the vacation of the southern 135 feet of Oriole Drive

On January 22, 2004, the City Council approved a Layout Plat to combine the lots as identified on this plat. In addition, the Planning Commission has recommended approval of a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter sidewalk, street light conduit, sewer, water and pavement along the adjacent streets with the stipulation that curb, gutter and sidewalk be provided along Oriole Drive and that the applicant sign a waiver of right to protest a future assessment for the balance of the improvements. To date, the applicant has not signed the waiver of right to protest a future assessment form and, as such, the City Council as continued the Variance to the Subdivision Regulations request to the April 5, 2004 City Council meeting.

The property is located in the southwest corner of the West Boulevard North/Oriole Drive intersection and is currently void of any structural development.

STAFF REVIEW:

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

Fire Department: The Fire Department has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access. Staff is recommending that construction plans be submitted for review and approval as identified upon Preliminary Plat submittal.

Thrush Drive: Thrush Drive is located along the south lot line of the subject property and is identified as a lane place street requiring a minimum 49 foot wide right-of-way and a 24 foot

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wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, a 70 foot wide right-of-way has been dedicated for Thrush Drive but to date the street has not been constructed. As such, prior to Preliminary Plat approval by the City Council, road construction plans for Thrush Drive improving the street as identified must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

West Boulevard North: West Boulevard North is located along the east lot line of the subject property and is identified as a sub-collector street requiring a minimum 52 foot wide right-of-way with a 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, West Boulevard North is located within the 750 foot wide I-90 ramp right-of-way and has been constructed with a 40 foot wide paved surface. Curb, gutter, sidewalk and street light conduit has not been constructed along West Boulevard North. As such, prior to Preliminary Plat approval by the City Council, road construction plans for West Boulevard North improving the street as identified must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Oriole Drive: Oriole Drive is located along the north lot line of the subject property and extends south, subdividing the subject property. The Preliminary Plat identifies the proposed vacation of the southern 135 feet of Oriole Drive. In addition, the Preliminary Plat retains a utility easement for this portion of Oriole Drive since City sewer and water are currently located within the Oriole Drive right-of-way. As such, the applicant must also enter into an agreement assuming responsibility for any replacement of surface improvement(s) for the same portion of Oriole Drive to be vacated. The balance of Oriole Drive located along the north lot line is currently constructed with a 60 foot wide right-of-way and a 50 foot wide paved surface, curb, gutter, water and sewer. In addition, a sidewalk has been constructed along the north side of Oriole Drive. Oriole Drive is identified as a lane place street requiring a minimum 49 foot wide right-of-way and a 24 foot wide paved surface, curb, gutter sidewalk on both sides of the street, street light conduit, water and sewer. As such, prior to Preliminary Plat approval by the City Council, road construction plans for Oriole Drive must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

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