

STAFF REPORT
November 4, 2004

No. 04PL146 - Preliminary Plat

ITEM 6

GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for 3 T's Land Development LLC
REQUEST	No. 04PL146 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The unplatted portion and Tract R of NW1/4 SW1/4 located in the NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 11 thru 16 and Lots 31 thru 42, Minnesota Ridge Heights Subdivision, located in the NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 21.8024 acres
LOCATION	0.75 miles west of Fifth Street and Minnesota Avenue
EXISTING ZONING	Low Density Residential District w/Planned Development Designation
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Development Designation
South:	General Agriculture District
East:	Low Density Residential District w/Planned Development Designation
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/08/2004
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, geotechnical analysis, including pavement design, shall be submitted for review and approval;
2. Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as needed;
3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the extension of West Minnesota Street right-of-way to the west lot line;

STAFF REPORT
November 4, 2004

No. 04PL146 - Preliminary Plat

ITEM 6

4. Prior to Preliminary Plat approval by the City Council, West Minnesota Street construction plans shall be revised to show a sidewalk along the south side of the street or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the Outlot incorporated into the adjacent lots or the plat document shall be revised to show the proposed lot as a numbered lot in lieu of an Outlot. In addition, the applicant shall demonstrate physical access to the proposed lot if left as a separate lot;
6. Prior to Preliminary Plat approval by the City Council, a SDCL 11-6-19 Review shall be reviewed and approved to relocate the fence on the City's reservoir lot and to allow a portion of the reservoir lot to be incorporated into the West Minnesota Street right-of-way;
7. Prior to Preliminary Plat approval by the City Council, the section line highway located along the west lot line shall be improved to City Street Design standards with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer improvements or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. The adjacent property owner(s) shall sign the petition to vacate the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way;
8. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Engineering Division;
9. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;
10. All Uniform Fire Codes shall be continually met;
11. Prior to submittal of a Final Plat application, the plat document shall be revised to show the street names. In addition, "West Minnesota Street" as shown on the associated Initial and Final Planned Residential Development site plan shall be labeled on the plat document as "Minnesota Street";
12. Prior to submittal of a Final Plat application, the plat document shall be revised to show the labeling of the proposed lot located between the reservoir lot and the west lot line of the subject property;
13. Prior to submittal of a Final Plat application, the plat document shall be revised to show a Certificate of Ownership for the City of Rapid City;
14. Prior to submittal of a Final Plat application, staff and the property owner(s) shall prepare an agreement to allow Minnesota Street to occupy a portion of the City property containing the existing reservoir;
15. Prior to submittal of a Final Plat application, the plat title shall be revised to read (Formerly unplatted portion of the W1/2SW1/4 and Tract R of NW1/4SW1/4, Section 13, T1N, R7E) located in the SW1/4 of Section 13;
16. Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along the first fifty feet of all corner lots; and,
17. 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 Preliminary Plat to subdivide the subject property into 17 residential lots and to reconfigure a reservoir lot. Currently, a water reservoir is located on the reservoir lot and is owned by the City. The 17 residential lots are proposed as a part of

STAFF REPORT
November 4, 2004

No. 04PL146 - Preliminary Plat

ITEM 6

the Minnesota Ridge Heights Subdivision.

On February 2, 2004, the Planning Commission approved a Layout Plat subdividing 41 acres into 47 residential lots. The Layout Plat included the 17 residential lots as shown on this Preliminary Plat.

STAFF REVIEW:

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

Geotechnical Report: A geotechnical report including pavement design must be submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the City Council, a geotechnical report be submitted for review and approval as identified.

Drainage Plan: A Drainage Plan must be submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the City Council, a drainage plan be submitted as identified. In addition, the plat document must be revised to provide drainage easements as necessary.

Section Line Highway: An unimproved section line highway is located along the west lot line of the subject property. The section line highway must be constructed to City Street Design Standards with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. The applicant also has the option of vacating the section line highways; however, the west half of the section line highway is located on adjacent property under different ownership than the subject property. As such, the adjacent property owner must concur with the vacation or a Variance to the Subdivision Regulations to allow platting half a right-of-way must be obtained. Staff is recommending that the section line highway issue be addressed as identified prior to Preliminary Plat approval by the City Council.

Reservoir Lot: Currently, a City water reservoir is located on proposed Lot 37 as shown on the Preliminary Plat. The Preliminary Plat also identifies incorporating a small portion of the reservoir lot into the West Minnesota Street right-of-way. The applicant has indicated that the fence located along the south lot line of the reservoir lot will be relocated to the north to allow a portion of the property to be incorporated into the adjacent right-of-way. However, South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then no street, park or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or authorized in the municipality or within its subdivision jurisdiction until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". As such, relocating the fence on the City's reservoir lot and incorporating a portion of the lot into the adjacent right-of-way as proposed will require the review and approval of a SDCL 11-6-19 Review by the Rapid City Planning Commission. Staff is recommending that the SDCL 11-6-19 Review be reviewed and approved prior to Preliminary Plat approval by the City Council.

On September 7, 2004, the City Council directed staff to "prepare an agreement with the owners of Minnesota Ridge Phase 4 to allow Minnesota Street to occupy a portion of the

STAFF REPORT
November 4, 2004

No. 04PL146 - Preliminary Plat

ITEM 6

City property containing the existing reservoir". To date, the agreement has not been prepared. As such, staff is recommending that prior to submittal of a Final Plat application, the agreement be prepared and reviewed and approved as identified.

Fire Department: The Fire Department staff 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 all Uniform Fire Codes be continually met.

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