

STAFF REPORT
March 10, 2005

No. 05PL016 - Preliminary Plat

ITEM 41

GENERAL INFORMATION:

PETITIONER	Ron Blum for Montana-Dakota Utilities Co.
REQUEST	No. 05PL016 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Located in the unplatted portion of the N1/2 of GL3 and the N1/2 GL4 less Lots H1 & H2, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1, MDU Regulator #83, located in the N1/2 Government Lot 4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .02754 acres
LOCATION	South of the intersection of East Anamosa Street and Elk Vale Road on the east side of Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/25/2005
REVIEWED BY	Todd Tucker / Bob Dominicak

RECOMMENDATION:

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

- 1. Prior to approval of the Preliminary Plat by City Council, the typographical error in the signature area for the Growth Management Director shall be corrected;**
- 2. Prior to Preliminary Plat approval by City Council, road construction plan shall be submitted for review and approval showing the street constructed with pavement, curb, gutter, sidewalk and street light conduit or a Variance to the Subdivision Regulations must be obtained;**
- 3. All applicable provisions of the International Fire Code shall be continually met;**

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4. **Prior to Preliminary Plat approval by the City Council, the plat must be revised to show the pipeline and access easement located along the south property line of the existing lot. In addition, the access easement must be a minimum of 45 feet wide as per the Street Design Criteria Manual;**
5. **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; and,**
6. **An approach permit approved by the South Dakota Department of Transportation shall be obtained prior to initiation of construction of the access.**

GENERAL COMMENTS: (This Staff Report was revised on March 1, 2005. All revised and/or added text is shown in bold text.) This item was continued at the February 24, 2005 Planning Commission meeting to allow time for the applicant to address the additional required information on the plat.

The subject property is located on the east side of Elk Vale Road south of the future extension of East Anamosa Street and north of Homestead Street. A natural gas regulator station is currently located on the property. The applicant has submitted a Preliminary Plat to subdivide a 39.01 acre parcel to create a .02755 acre utility lot leaving a 38.98245 acre non-transferable unplatted balance. In addition, the applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and pavement as per Chapter 16.16 of the Rapid City Municipal Code (05SV007).

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

Signature Block: Staff noted that the word "Director" in the signature area for the Growth Management Director is misspelled. Prior to approval of the Preliminary Plat by City Council, the signature area for the Growth Management Director must be corrected.

Pipeline and Access Easement: As previously indicated, the pipeline and access easement is shown on the site plan to be 16 feet wide. Staff noted that the pipeline and access easement is classified as a lane/place street requiring that the street be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk and street light conduit. Staff recommends that prior to Preliminary Plat approval by City Council, road construction plan shall be submitted for review and approval showing the street constructed with pavement, curb, gutter, sidewalk and street light conduit or a Variance to the Subdivision Regulations must be obtained. As previously indicated that applicant has requested a Variance to the Subdivision Regulations to not install curb, gutter, sidewalk and street light conduit along the access easement (05SV007).

Access: Staff noted that the proposed plat does not show any physical access to the proposed lot. However, the applicant has submitted a site plan showing the location of the existing valves, regulators and piping within the proposed lot. In addition the site plan identifies that a 20 foot wide pipeline and access easement are located along the west property line of the

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existing parcel along Elk Vale Road. The site plan also shows a 16 foot wide pipeline and access easement along the south property line of the existing parcel and the proposed lot extending from the Elk Vale Road right-of-way to the east. Staff noted that legal physical access must be provided to the proposed lot. An access easement may serve as access to four or fewer lots; however, the easement must be constructed to City Street Design Standards. **Prior to Preliminary Plat approval by the City Council, the plat must be revised to show the pipeline and access easement located along the south property line of the existing lot. In addition, the access easement must be a minimum of 45 feet wide as per the Street Design Criteria Manual.** A variance request has been submitted requesting to waive the requirement for construction of the street improvements. An approach permit application approved by the South Dakota Department of Transportation has not been submitted authorizing the approach onto the State Highway.

Staff is recommending that this item be **approved with the previously stated stipulations.**