

STAFF REPORT
November 23, 2005

No. 05PL198 - Preliminary Plat

ITEM 10

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 05PL198 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of NE1/4 NW1/4 NW1/4 lying east of Highway 16; W1/2 NW1/4 NE1/4 NW1/4, Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.420 acres
LOCATION	6300 South Highway 16
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District (Planned Commercial Development) - Low Density Residential District (Planned Residential Development)
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/18/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, the applicant shall enter into an agreement with the South Dakota Department of Transportation to eliminate the intersection of Tucker Street and U.S. Highway 16 at such time as the Catron Boulevard/U.S. Highway 16 interchange is constructed or Promise Road is constructed providing a street connection to the north of the property or a safety issue arises at the intersection of Tucker Street and U.S. Highway 16. In addition, the applicant shall sign a waiver of right to protest any future assessments for the improvements to Promise Road;
2. Prior to submittal of a Final Plat application, the plat document shall be revised to include a "Certificate of Finance Officer" attesting to the signature of the Growth Management Director; and,

STAFF REPORT
November 23, 2005

No. 05PL198 - Preliminary Plat

ITEM 10

3. Upon submittal of a Final Plat application, surety for the design and construction of the required subdivision improvements shall be posted and the subdivision inspection fees shall be paid. In particular, the design and construction of the required subdivision improvements shall be completed within two years of the date of approval of the Preliminary Plat or prior to approval of the Preliminary Plat by the City Council, the applicant shall obtain approval from the City Council to extend the time to complete the design and improvements and to extend the expiration date of the Preliminary Plat beyond two years.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to create a 1.42 acre lot leaving a 6.77 acre non-transferable balance.

On September 19, 2005, the City Council approved a Layout Plat to create a 1.42 acre lot as shown on this Preliminary Plat. In addition, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter and sidewalk along U.S. Highway 16 as it abuts the subject property. (See file # 05PL152 and 05SV058.)

The property is located in the northeast corner of the intersection of U.S. Highway 16 and Tucker Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

US Highway 16 Corridor Study: The South Dakota Department of Transportation U.S. Highway 16 Corridor Study identifies that the Tucker Street intersection access point onto U.S. Highway 16 will eventually be eliminated. In addition, the study identifies that Promise Road will be extended from its current terminus north of the subject property to serve as a frontage road extending along the east side of U.S. Highway 16 to the subject property. The South Dakota Department of Transportation has indicated that the Tucker Street intersection with U.S. Highway 16 may remain on an interim basis until alternate access is provided to the site or the intersection becomes a safety issue. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the applicant enter into an agreement with the South Dakota Department of Transportation to eliminate the intersection of Tucker Street and U.S. Highway 16 at such time as the Catron Boulevard/U.S. Highway 16 interchange is constructed or Promise Road is constructed providing a street connection to the north of the property or a safety issue arises at the intersection of Tucker Street and U.S. Highway 16. The right-of-way for Promise Road as it extends north of the subject property has been dedicated as an "H Lot". Staff is recommending that the applicant sign a waiver of right to protest any future assessments for the improvements to Promise Road prior to Preliminary Plat approval by the City Council.

Subdivision Improvements: The applicant has submitted a request to post surety for the design and construction of all subdivision improvements. In particular, the applicant is requesting to post surety for the design and construction of Tucker Street and the water main to be extended across U.S. Highway 16. Staff is recommending that surety for the design and construction of the required subdivision improvements as identified be posted and the subdivision inspection fees paid upon submittal of a Final Plat application. In particular, the

STAFF REPORT
November 23, 2005

No. 05PL198 - Preliminary Plat

ITEM 10

design and construction of the required subdivision improvements must be completed within two years of the date of approval of the Preliminary Plat or the applicant must obtain approval from the City Council to extend the time to complete the design and improvements and to extend the expiration date of the Preliminary Plat beyond two years prior to approval of the Preliminary Plat by the City Council.

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