

STAFF REPORT
June 22, 2006

No. 06PL092 - Preliminary Plat

ITEM 9

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for Tom Farrar
REQUEST	No. 06PL092 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 5, Farrar Business Park, and a portion of the NE1/4 of the SE1/4 of Section 16, located in the NE1/4 of the SE1/4, Section 16, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1R and Lot 2 of Block 2, and Lots 1 and 2 of Block 3 and Lots 2 and 3 of Block 4, Farrar Business Park.
PARCEL ACREAGE	Approximately 9.972 acres
LOCATION	Lying west of Deadwood Avenue and south of Calamity Road
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	General Agriculture (Pennington County)
West:	Light Industrial District
PUBLIC UTILITIES	None
DATE OF APPLICATION	6/12/2006
REVIEWED BY	Marcia Elkins / Bob Dominicak

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the Planning Commission, the Memorandum of Understanding regarding the water system improvements shall be signed and a copy delivered to the Growth Management Department;
2. Prior to Preliminary Plat approval by the City Council, a grading and drainage plan showing any drainage easements shall be submitted for review and approval;
3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to provide a utility easement or a well lot for the proposed well site;
4. Prior to Preliminary Plat approval by the City Council, the applicant shall enter into a covenant with the City of Rapid City requiring that no building permits shall be requested or issued for Lot 1R prior to City water (with adequate fire flows) being available on the site. Prior to submittal for the Final Plat of any additional lot(s), the public water system

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- shall be in place and operational;
5. 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 Growth Management Department;
 6. Prior to Preliminary Plat approval by the City Council, a utility distribution sheet, signed by the appropriate representatives, showing the locations of gas, telephone, electric and cable television as per Chapter 16 of the Subdivision Regulations shall be submitted for review and approval;
 7. Prior to Preliminary Plat approval by the City Council, a revised site plan showing fire hydrants at all intersections and at intermediate points between the intersections with a spacing not to exceed 450 feet and at high points in the profile shall be submitted for review and approval;
 8. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised showing non-access easements in compliance with the Street Design Criteria Manual;
 9. Prior to Preliminary plat approval by the City Council, geotechnical information including soils resistivity tests shall be submitted for review and approval. If results of the soils resistivity tests results indicate severe potential towards corrosion of buried metal products, information that corrosion protection as per the Rapid City Standard Specifications is adequate protection shall be submitted or additional corrosion protection shall be provided as needed for the buried water system metal fixtures;
 10. Prior to Preliminary Plat approval by the City Council, construction plans showing a 12 foot wide all weather maintenance surface for access to the sanitary sewer manholes from Hickock Trail and Buffalo Bill Road shall be submitted for review and approval;
 11. Prior to Final Plat approval, the plat document shall be revised to show 17 feet of additional right-of-way along the property as it abuts Deadwood Avenue;
 12. Prior to Preliminary Plat approval by the City Council, road construction plans showing the installation of curb, gutter, sidewalk, street light conduit, water and sewer along Buffalo Bill Road shall be submitted for review and approval as identified or a Variance to the Subdivision Regulations shall be obtained;
 13. Prior to Preliminary Plat approval by the City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;
 14. 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; and,
 15. Prior to Preliminary Plat approval by the City Council, the block numbering shall be corrected, as necessary.

GENERAL COMMENTS: The applicant has submitted a Preliminary Plat to replat one existing lot and plat five additional lots. The property is located west of Deadwood Avenue and south of Calamity Road. The property is located in the City of Rapid City and is currently zoned Light Industrial. The adjacent land to the north, south and west is also zoned Light Industrial. The land to the east across Deadwood Avenue is zoned General Agriculture and lies outside of the Rapid City limits.

In December 2005, this same plat was submitted as a Preliminary Plat application (05PL252). That plat proposed to plat "Lot 1R and Lot 2 of Block 2, Lots 1 and 2 of Block 3 and Lots 2 and 3 of Block 4, Farrar Business Park." That Preliminary Plat request was approved by the City Council on February 6, 2006 with the following 14 stipulations of

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approval:

1. Prior to Preliminary Plat approval City Council approval, the Memorandum of Understanding shall be signed and a copy delivered to the Growth Management Department;
2. Prior to Preliminary Plat approval by City Council, a grading and drainage plan showing any drainage easements shall be submitted for review and approval;
3. Prior to Preliminary Plat approval by City Council, the plat document shall be revised to provide a utility easement or a well lot for the proposed well site;
4. Prior to submittal of the Final Plat water shall be in place and operational;
5. Prior to Preliminary Platt approval by 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 Growth Management Department;
6. Prior to Preliminary Plat approval by City Council, a utility distribution sheet, signed by the appropriate representatives, showing the locations of gas, telephone, electric, and cable television as per Chapter 16.0 of the Subdivision Regulations shall be submitted for review and approval;
7. Prior to Preliminary Plat approval by City Council, a revised site plan showing fire hydrants at all intersections and at intermediate points between the intersections with a spacing not to exceed 450 feet and at high points in the profile shall be submitted for review and approval;
8. Prior to Preliminary Plat approval by City Council, the plat document shall be revised showing non-access easements in compliance with the Street Design Criteria Manual;
9. Prior to Preliminary Plat approval by City Council, geotechnical information including soils resistivity tests shall be submitted for review and approval; If results of the soils resistivity tests results indicate severe potential towards corrosion of buried metal products, information that corrosion protection as per Rapid City Standards Specifications is adequate protection or additional corrosion protection shall be provided as need for the buried water system metal fixtures;
10. Prior to Preliminary Plat approval by City Council, construction plans showing a 12 foot wide all weather maintenance surface for access to the sanitary sewer manholes from Hickock Trail and Buffalo Bill Road shall be submitted for review and approval;
11. Prior to Final Plat approval, the plat document shall be revised to show 17 feet of additional Right-of-Way along the property as it abuts Deadwood Avenue;
12. Prior to Preliminary Plat approval by the City Council, road construction plans showing the installation of curb, gutter, sidewalk, street light conduit, water and sewer along Buffalo Bill Road shall be submitted for review and approval as identified or a Variance to the Subdivision Regulations shall be obtained;
13. Prior to Preliminary Plat approval by City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval; and,
14. 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.

Subsequently, in February 2006, the applicant submitted a Preliminary Plat request (06PL030) for "Lot 1R, Block 5, Farrar Business Park and 20 foot wide Sanitary Sewer Easement." That request was withdrawn in March 2006.

In May 2006, the applicant submitted a Final Plat application (06PL054) for "Lot 1R of Block

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5 and a 10 foot wide sanitary sewer easement.” The platting of this lot (as Lot 1R, Block 2) was approved as a part of the Preliminary Plat approved by City Council on February 6, 2006 with 14 stipulations. However, the Final Plat application was denied without prejudice as the applicant was not able to comply with stipulation #4 requiring that “Prior to submittal of the Final Plat, water shall be in place and operational.” The applicant has now resubmitted that same Preliminary Plat and is requesting that the stipulations of approval as they relate to the water system requirements be modified.

STAFF REVIEW: The applicants have been working with the City of Rapid City to drill a well and construct a reservoir in the Farrar Development to allow the development of the property. A Tax Increment District and related project plan have been approved to assist with the costs of developing the water system. The improvements proposed as part of this development, including the drilling of a City well are initial steps toward the construction of the North Deadwood Avenue water system improvements that will serve a much larger area. A Memorandum of Understanding has been negotiated by the Public Works Staff and the developers regarding the coordination of those improvements. As of this writing, the Growth Management staff does not have a signed copy of that agreement.

The applicant has indicated that they are proposing to proceed with the replatting of Lot 1R prior to water physically being located on the site. They have indicated that they will be transferring the additional land area to the current owner. A construction company is currently located on the property. The applicants have indicated that the owner wishes to expand the construction yard area and will not be seeking any expansion or construction of structures on the larger lot until such time as public water, including fire flows is available on the site.

The applicant has been working with the Fire Department to coordinate the water requirements for the site, particularly as it relates to fire flows. The Fire Department staff has indicated that they will support the replatting of Lot 1R with the provision that the land owner enter into a covenant insuring that no additional construction will occur on the property prior to public water including fire flows being available on the site. This requires a modification of Stipulation #4 as previously approved. The City Attorney's staff has indicated that a new Preliminary Plat application must be reviewed by the Planning Commission and approved by the City Council to allow the previously approved stipulations to be revised.

Staff is recommending approval of the Preliminary Plat with the same stipulations of approval as previously presented and approved with two exceptions. First, staff is recommending that Stipulation #4 be modified to allow Lot 1R to be platted upon approval of a covenant insuring that no additional construction will occur on the site until public water with adequate fire flows is available on the site. Secondly, staff noted some confusion relative to the Block numbers on the Preliminary Plat. Staff is recommending that prior to City Council approval, the block numbering be corrected if necessary.

Based on compliance with the stipulations outlined above, staff finds the proposed plat to be in general compliance with applicable City requirements. Staff recommends approval of the Preliminary Plat with the stipulations as outlined above.

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