

STAFF REPORT
August 10, 2006

No. 06PL071 - Preliminary Plat

ITEM 7

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06PL071 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1A, 1B, 1C and 1D of Starlite Subdivision, formerly Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 11.31 acres
LOCATION	At the southeast corner of Beale Street and Dyess Avenue and north of Eglin Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Light Industrial District - General Agriculture District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	Private on-site wastewater and City water
DATE OF APPLICATION	5/12/2006
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

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

- 1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;**
- 2. Prior to Preliminary Plat approval by the City Council, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained or surety shall be posted for the design and construction of the sewer upon submittal of a Final Plat. If individual on-site**

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- wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval. In addition, the on-site wastewater systems shall be designed to allow the connection to a central sewer system when it becomes available;
3. Prior to Preliminary Plat approval by the City Council, water plans prepared by a Registered Professional Engineer showing the extension of water mains and service lines along Dyess Avenue and Beale Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
 4. Prior to Preliminary Plat approval by the City Council, a pavement design with supporting geotechnical information shall be submitted for review and approval;
 5. Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall include calculations demonstrating that discharge from any site facilities will result in net drainage basin run-off not exceeding pre-development flow rates or local detention facilities shall be provided or expanded as necessary. In addition, the plat document shall be revised to provide drainage easements as necessary;
 6. Prior to Preliminary Plat approval by the City Council, a grading and erosion control plan shall be submitted for review and approval;
 7. Prior to Preliminary Plat approval by the City Council, road construction plans for Eglin Street shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit and sewer or a Variance to the Subdivision Regulations shall be obtained;
 8. Prior to Preliminary Plat approval by the City Council, road construction plans for Dyess Avenue shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 9. Prior to Preliminary Plat approval by the City Council, road construction plans for Beale Street shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 10. Prior to Preliminary Plat approval by the City Council, Approach Permit(s) shall be obtained from the South Dakota Department of Transportation as needed;
 11. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 12. Prior to submittal of a Final Plat application, the applicant shall enter into an agreement to abandon the on-site wastewater systems in compliance with the South Dakota Department of Environment and Natural Resources requirements and to connect to the City sewer system when it becomes available within 500 feet of the property;
 13. Prior to submittal of a Final Plat, the plat document shall be revised to show a 115 foot non-access easement along the corner of Lot 1A as it abuts Dyess Avenue and Eglin Street. In addition, a non-access easement shall be shown along Beale Street; and,
 14. Upon submittal of a Final Plat application, surety for any required subdivision

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improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

GENERAL COMMENTS:

(Update, July 30, 2006. All revised and/or added text is shown in bold print.) This item was continued at the July 27, 2006 Planning Commission meeting to allow the applicant to submit additional information. The applicant subsequently submitted a revised Preliminary Plat reconfiguring the subject property into two lots in lieu of four lots. As such, access is no longer proposed to be taken from Beale Street.

(Update, July 14, 2006. All revised and/or added text is shown in bold print.) This item was continued at the July 6, 2006 Planning Commission meeting to allow the applicant to submit additional information. In particular, a revised plat document must be submitted for review and approval showing an alternate access to Lot 1C in lieu of Beale Street as stipulated by the South Dakota Department of Transportation. On July 11, 2006, staff met with the applicant to discuss lot configuration and utility issues. The applicant indicated that a revised plat document would be submitted reconfiguring the subject property into two lots in lieu of four lots as currently proposed. In addition, access would no longer be taken from Beale Street. However, as of this writing the revised plat document and associated construction plans have not been submitted. As such, staff is recommending that this item be continued to the August 10, 2006 Planning Commission meeting to allow the applicant to submit the additional information as identified. Please note that no other part of this Staff Report has been revised.

(Update, June 23, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 22, 2006 Planning Commission meeting to allow the applicant to submit additional information. In particular, a revised plat document must be submitted for review and approval showing an alternate access to Lot 1C in lieu of Beale Street as stipulated by the South Dakota Department of Transportation. As of this writing, the revised plat document and associated construction plans have not been submitted. As such, staff is recommending that this item be continued to the July 27, 2006 Planning Commission meeting to allow the applicant to submit the additional information as identified. Please note that no other part of this Staff Report has been revised.

(Update, June 14, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 8, 2006 Planning Commission meeting at the applicant's request. In particular, the applicant indicated that a revised plat document will be submitted showing an alternate access to Lot 1C in lieu of Beale Street as stipulated by the South Dakota Department of Transportation. As of this writing, the revised plat document and associated construction plans have not been submitted. As such, staff is recommending that this item be continued to the July 6, 2006 Planning Commission meeting to allow the application to submit the additional information. Please note that no other part of this Staff Report has been revised.

The applicant has submitted a Preliminary Plat to subdivide the subject property into four lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along Dyess Avenue and Beale Street and to waive the requirement to

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install curb, gutter, sidewalk, street light conduit, sewer and additional pavement along Eglin Street. The applicant has also submitted a Rezoning request to change the zoning designation of the southern portion of the subject property from General Commercial District to Light Industrial District and a Comprehensive Plan Amendment to the Elk Vale Neighborhood Area Future Land Use Plan to change the land use designation from General Commercial to Light Industrial. (See companion items #06SV033, 06RZ013 and 06CA013.)

The property is located in the northeast corner of the intersection of Dyess Avenue and Eglin Street. Currently, a chain link fence and an outdoor movie screen are located on the property. The applicant has indicated that the movie screen and fence will be removed upon redevelopment of the property.

STAFF REVIEW:

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

Beale Street: Beale Street is located along the north lot line of the subject property and is classified as a commercial street requiring that it be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Beale Street is located in the 300 foot wide I-90 right-of-way that abuts the subject property and serves as a service road along the interstate. Beale Street has been constructed with an approximate 24 foot wide paved surface. Staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans for Beale Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

The South Dakota Department of Transportation has stated that in order to preserve the ability to widen I-90 and to provide a good level of service from Rapid City to Ellsworth Air Force Base, no additional access permits will be granted along Beale Street. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, the plat document must be revised to show an alternate access to Lot 1C in lieu of Beale Street. In addition, road construction plans must be submitted for review and approval as needed. In particular, the street must be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 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 reconfiguring the lots so that each lot abuts either Dyess Avenue and/or Eglin Street. **As noted above, the applicant has submitted a revised Preliminary Plat reconfiguring the subject property into two lots in lieu of four lots. As such, access is no longer proposed to be taken from Beale Street.**

Dyess Avenue: Dyess Avenue is located along the west lot line of the subject property and is classified as a minor arterial street on the City's Major Street Plan requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Dyess Avenue is located in an 83 foot wide right-of-way, 50 feet from the subject property and 33 feet from the adjacent property. As such, no additional right-of-way is required from the subject property. In addition, Dyess Avenue has been constructed with an approximate 24 foot wide paved surface. Staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans for Dyess Avenue be submitted for review and approval

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as identified or a Variance to the Subdivision Regulations must be obtained.

Eglin Street: Eglin Street is located along the south lot line of the subject property and is classified as a minor arterial street on the City's Major Street Plan requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Eglin Street is located in a 100 foot wide right-of-way and constructed with an approximate 24 foot wide paved surface and water. Staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans for Eglin Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Water: Currently, a water main exists within the Eglin Street right-of-way. However, construction plans have not been submitted for review and approval demonstrating service to Lots 1B and 1C and/or service taps to any of the four lots. Staff is recommending that prior to Preliminary Plat approval by the City Council, water plans prepared by a Registered Professional Engineer showing the extension of water mains and service lines along Dyess Avenue and Beale Street be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the water plans must show service taps to each of the four lots.

Sewer: The E. Mall Drive Masterplan identifies an 18 inch sanitary sewer main along Dyess Avenue. Tax Increment District #56 has been approved by the City Council that includes the installation of this sewer main. However, to date, the sewer main has not been installed. In addition, sewer does not exist along Eglin Street and/or Beale Street. Staff is recommending that sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

The applicant has indicated that individual on-site wastewater systems will be proposed for each lot. Prior to issuance of a building permit, an individual on-site wastewater treatment systems permit must be obtained for each lot. In particular, depth of soil, type of soil, location and capacity of all septic tanks proposed, location and results of percolation test(s) demonstrating that the soils are suitable for on-site wastewater treatment systems and location and length of drainfield pipes must be submitted for review and approval. In addition, the on-site wastewater systems must be designed to facilitate the connection to a central sewer system when it becomes available. Subsequently, staff is recommending that prior to submittal of a Final Plat application, the applicant enter into an agreement to abandon the on-site wastewater systems in compliance with the South Dakota Department of Environment and Natural Resources requirements and to connect to the City sewer system when it becomes available within 500 feet of the property. The applicant is encouraged to coordinate this project with the Tax Increment District improvements to eliminate the need to provide on-site wastewater on an interim basis.

Drainage: A drainage plan must be submitted for review and approval. In particular, the drainage plan must include calculations demonstrating that discharge from any site facilities will result in net drainage basin run-off not exceeding pre-development flow rates or local detention facilities must be provided or expanded as necessary. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for

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review and approval. The plat document must be revised to provide drainage easements as needed. Staff is recommending that prior to Preliminary Plat approval by the City Council, a drainage and grading plan, as well as an erosion and sediment control plan, be submitted for review and approval and the plat document be revised to provide drainage easements as needed.

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