

STAFF REPORT
August 23, 2007

No. 07PL062 - Preliminary Plat

ITEM 5

GENERAL INFORMATION:

PETITIONER	Boschee Engineering for Scott and Janice Zandstra
REQUEST	No. 07PL062 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 2E, less Right-of-way of the SW1/4 of the SE1/4, Section 7, T1S, R7E, BHM; and a portion of the NW1/4 of the NE1/4, Section 18, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Block 1 of Paradise Pines Subdivision, located in the SW1/4 of the SE1/4, Section 7; and the NW1/4 of the NE1/4, Section 18, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.43 acres
LOCATION	Southwest of the intersection of Wilderness Canyon Road and U.S. Highway 16
EXISTING ZONING	Planned Unit Development
SURROUNDING ZONING	
North:	Highway Services District (Pennington County)
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	Private
DATE OF APPLICATION	4/26/2007
REVIEWED BY	Jonathan Smith / Emily Fisher

RECOMMENDATION:

Staff recommends that this item be continued to the September 6, 2007 Planning Commission meeting at the applicant's request.

GENERAL COMMENTS:

(Update August 15, 2007. All revised text is shown in bold print). The applicant has requested that this item be continued to the September 6, 2007 Planning Commission meeting.

(Update June 30, 2007. All revised text is shown in bold print). The applicant has requested that this item be continued to the August 9, 2007 Planning Commission meeting.

STAFF REPORT
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No. 07PL062 - Preliminary Plat

ITEM 5

(Update June 26, 2007. All revised text is shown in bold print). The applicant has requested that this item be continued to the July 26, 2007 Planning Commission meeting.

(Update, May 30, 2007. All revised and/or added text is shown in bold print.) The applicant has requested that this item be continued to the July 5, 2007 Planning Commission meeting.

The applicant has submitted a Preliminary Plat to create a 6.43 acre lot to be known as Lot 1 of Block 1 of Paradise Pines Subdivision. The proposed Preliminary Plat is not located within the municipal boundaries of the City of Rapid City; however a small portion of the subject property is located within the City of Rapid City's three mile platting jurisdiction. A Variance to the Subdivision Regulations (#07SV002) to waive the requirement to install, curb, gutter, sidewalk, street light conduit, water and sewer was approved by City Council on March 5, 2007. The subject property is located southwest of the intersection of Wilderness Canyon Road and U.S. Highway 16. In addition, the subject property is zoned Planned Unit Development District by Pennington County. Currently, the property is void of any structural development.

STAFF REVIEW:

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

PLATTING JURISDICTION: As noted above, only a portion of Lot 1 is located within the City of Rapid City's Three Mile Platting jurisdiction. As such, the applicant has also submitted a Preliminary Plat application to the Pennington County Planning Department for review and approval. The submitted Preliminary Plat shows four additional proposed lots located south of Lot 1.

ACCESS PERMIT:

Staff has noted that the applicant is required to obtain a permit from the South Dakota Department of Transportation to construct a left turning lane on U.S. Highway 16 to accommodate westbound traffic accessing the proposed subdivision. Prior to approval of the Preliminary Plat application by Planning Commission the applicant is required to obtain a permit from the South Dakota Department of Transportation to construct a left turning lane on U.S. Highway 16 to accommodate westbound traffic accessing the proposed subdivision.

ACCESS EASEMENT:

The Preliminary Plat identifies access to Lot 1 by way of a 40 feet wide access and utility easement that is not located within the City of Rapid City Three Mile Platting jurisdiction. This utility and access easement also provides access to four additional lots south of Lot 1, which are also not within the City of Rapid City's Three Mile Platting jurisdiction. Staff has noted that the proposed name for this easement is "Paradise Pines Drive" is already in use within Pennington County. Prior to submittal of a Final Plat application the applicant is required to submit for review and approval an alternate name to the Emergency Services Communication Center, and the plat document revised to show the approved street name.

VARIANCES:

On March 5, 2007 a Variance to waive the requirement to install water, sewer, curb, gutter, and street light conduit along U.S. Highway 16 was granted by City Council with the stipulation that the applicant sign a waiver of right to protest future assessments. A Variance to the Subdivision

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Regulations to reduce the right of way width was denied without prejudice by City Council on March 5, 2007 because the right-of-way of U.S Highway 16 that abuts Lot 1 exceeds the minimum requirement of 100 feet of right-of-way.

WATER & SEWER:

The applicant has submitted information identifying that the water service for Lot 1 will be from a well, and sewer service will be from an on-site septic system. Staff has noted that the applicant has submitted information demonstrating that adequate domestic and fire flows are available to Lot 1, and that adequate sewer service is provide by way of an on-site septic system.

WARRANTY SURETY: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

Staff recommends that this item be continued to the September 6, 2007 Planning Commission meeting at the applicant's request.