

STAFF REPORT
August 9, 2007

No. 07PL029 - Preliminary Plat

ITEM 5

GENERAL INFORMATION:

PETITIONER	D. C. Scott Co. Land Surveyors for Wesleyan Church
REQUEST	No. 07PL029 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The unplatted portion of the NE1/4 SE1/4, lying southeast of Elk Vale Road, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Word of Hope Subdivision, located in the NE1/4 SE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.49 acres
LOCATION	On the west side of Jolly Lane, at the north end between Jolly Lane cul-de-sac and curve in Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	Office Commercial District (Planned Commercial Development)
West:	Light Industrial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	2/9/2007
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, road construction plans for the section line highway shall be submitted for review and approval, or a Variance to the Subdivision Regulations must be obtained, or the portion of the section line highway that abuts the subject property shall be vacated;
2. Prior to Preliminary Plat approval by the City Council, road construction plans for Jolly Lane shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;
3. Prior to Preliminary Plat approval by the City Council, road construction plans for Elk Vale Road shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;

STAFF REPORT
August 9, 2007

No. 07PL029 - Preliminary Plat

ITEM 5

4. Prior to Preliminary Plat approval by the City Council, a water system plan showing existing and proposed mains and service lines and a water system analysis demonstrating sufficient quantities for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Preliminary Plat approval by the City Council, a wastewater system plan showing existing and proposed mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
6. Prior to Preliminary Plat approval by the City Council, information shall be submitted to the Growth Management Department demonstrating that the Rapid Valley Sanitation District staff has reviewed and approved the utility plans;
7. Prior to Preliminary Plat approval by the City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;
8. All 2003 International Fire Codes shall be continually met;
9. 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,
10. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

This staff report has been revised as of July 30, 2007. All revised and/or added text is shown in bold print. This item was continued to the August 9, 2007 Planning Commission meeting to allow the applicant to submit the required information. On July 17, 2007 staff met with the applicant to discuss the remaining issues for the proposed plat. A Vacation of Section Line Highway (#07VR009) application and an additional application for a Variance to the Subdivision Regulations (#07SV041) will be considered for the property at the August 9, 2007 Planning Commission meeting. Staff recommends that the proposed Preliminary Plat be continued to the August 9, 2007 Planning Commission meeting to allow the applicant to submit the required information and to be heard in conjunction with the associated Vacation of Section Line Highway application and Variance to the Subdivision Regulations application.

The applicant has submitted a Preliminary Plat to subdivide a 39.49 acre parcel into one 2.1 acre lot and leave the remaining 37.39 acres as an unplatted balance. The applicant has also submitted a Variance to the Subdivision Regulations (#07SV010) to waive requirements along Elk Vale, Jolly Lane, and the section line highway. The property is located west of Elk Vale Road at the northern terminus of Jolly Lane. The subject property is currently void of structural development.

STAFF REVIEW:

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

Easement Identification: The proposed plat identifies the dedication of 10 foot wide utility and minor drainage easements along all interior side lot lines except underground utilities or poles within a 2.5 foot radius around each property corner. Staff recommends that prior to Preliminary Plat approval by City Council, the applicant shall revise the note on the plat to

STAFF REPORT
August 9, 2007

No. 07PL029 - Preliminary Plat

ITEM 5

dedicate 10 foot wide utility and minor drainage easements along all interior side lot lines or a Variance to the Subdivision Regulations must be obtained waiving the requirement.

On May 3, 2007 the applicant submitted a revised plat document identifying eight foot wide utility and minor drainage easements along all interior side lot lines.

Water System: Information has not been submitted regarding the water system. In addition, the water plans must provide calculations demonstrating that required domestic and fire flows are being provided. Staff recommends that prior to Preliminary Plat approval by the Planning Commission, a water system plan showing existing and proposed mains and service lines and a water system analysis demonstrating sufficient quantities for domestic and fire flows shall be submitted for review and approval.

On May 1, 2007 the applicant submitted construction drawings previously approved for Neff's Subdivision showing the location of the existing water main in Jolly Lane and stated that no extension of the water main is being proposed with this plat. The applicant also submitted a document of a hydrant test from Rapid Valley Sanitary District demonstrating 750 GPM at 33 PSI. Staff recommends that prior to Preliminary Plat approval by the Planning Commission, a water system analysis demonstrating sufficient quantities for domestic and fire flows shall be submitted for review and approval.

On July 17, 2007 staff met with the applicant to discuss the Preliminary Plat application. Staff noted that a water system plan showing existing and proposed mains and service lines and a water system analysis demonstrating sufficient quantities for domestic and fire flows shall be submitted for review and approval. The applicant indicated that a Variance to the Subdivision Regulations (07SV010) was submitted to waive the requirement to install water per Chapter 16.16 of the Rapid City Municipal Code. As such, staff recommends that prior to Preliminary Plat approval by the City Council, a water system plan showing existing and proposed mains and service lines and a water system analysis demonstrating sufficient quantities for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained.

On July 18, 2007, the applicant submitted a water analysis demonstrating the system provided 983 GPM at 20 PSI. Fire Department staff noted that since the minimum fire flows of 1,500 GPM at 20 PSI cannot be met the structures shall be fully fire sprinklered per the 2003 International Fire Code.

Wastewater System: Information has not been submitted regarding the wastewater system. Staff recommends that prior to Preliminary Plat approval by the Planning Commission, a wastewater system plan showing existing and proposed mains and service lines shall be submitted for review and approval.

On May 1, 2007 the applicant submitted construction drawings previously approved for Neff's Subdivision showing the location of the existing sewer main in Jolly Lane.

On July 17, 2007 staff met with the applicant to discuss the Preliminary Plat application. Staff noted that a wastewater system plan showing existing and proposed mains and service lines shall be submitted for review and approval. The applicant indicated that a

STAFF REPORT
August 9, 2007

No. 07PL029 - Preliminary Plat

ITEM 5

Variance to the Subdivision Regulations (07SV010) was submitted to waive the requirement to install sewer per Chapter 16.16 of the Rapid City Municipal Code. As such, staff recommends that prior to Preliminary Plat approval by the City Council, a wastewater system plan showing existing and proposed mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained.

Rapid Valley Sanitation District: Rapid Valley Sanitation District staff noted that plans must comply with Rapid Valley Sanitation District Design and Construction Standards. Rapid Valley Sanitation District Staff also noted that two sets of construction plans and associated documentation for the proposed water and wastewater piping and improvements shall be submitted to the General Manager of the Rapid Valley Sanitation District for review and approval. The plan submittals shall be made directly by the developer to the Rapid Valley Sanitation District and shall not be made from other agencies. Staff is recommending that prior to Planning Commission approval, information shall be submitted to the Growth Management Department demonstrating that the Rapid Valley Sanitation District staff has reviewed and approved the utility plans.

On July 17, 2007 staff met with the applicant to discuss the Preliminary Plat application. Staff noted that a water and wastewater system plans showing existing and proposed mains and service lines shall be submitted for review and approval. The applicant indicated that a Variance to the Subdivision Regulations (07SV010) was submitted to waive the requirement to install sewer and water per Chapter 16.16 of the Rapid City Municipal Code. As such, staff recommends that prior to Preliminary Plat approval by the City Council, information shall be submitted to the Growth Management Department demonstrating that the Rapid Valley Sanitation District staff has reviewed and approved the utility plans or a Variance to the Subdivision Regulations shall be obtained.

Section Line Highway: A section line highway is located along the east lot line of the subject property. The east half of the section line highway is located on adjacent properties under different ownership as the subject property. The Subdivision Regulations state that "...where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half shall be platted. No new half-streets shall be permitted". As such, the property owner must plat the east half of the section line highway or a Variance to the Subdivision Regulations must be obtained to allow platting half a right-of-way or the section line highway shall be vacated. The applicant has requested a Variance to the Subdivision Regulations (07SV010) to waive the requirements to develop section line right-of-way on an extension of Jolly Lane and dedicate additional public right-of-way on an extension of Jolly Lane. Staff recommends that prior to Preliminary Plat approval by the City Council, road construction plans for the section line highway must be submitted for review and approval, or a Variance to the Subdivision Regulations must be obtained, or the portion of the section line highway that abuts the subject property shall be vacated.

On July 18, 2007 the applicant submitted a Vacation of Section Line Highway application (#07VR009) to vacate the west 33 feet of section line highway along the eastern side of the property.

On July 18, 2007 a Variance to the Subdivision Regulations application (#07SV041) was submitted to waive the requirement to dedicate a full street for a portion of Jolly

STAFF REPORT
August 9, 2007

No. 07PL029 - Preliminary Plat

ITEM 5

Lane. If the Variance to the Subdivision Regulations is not obtained, the plat document must be revised to show the right-of-way dedication.

Jolly Lane: Jolly Lane is located along a portion of the east property line of the subject property and is classified as a subcollector street requiring that the street be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit, water and sewer. The applicant is proposing to dedicate the west 33 feet of right-of-way along the east property line as part of this plat. The east 33 feet of right-of-way was dedicated as part of Neff's Subdivision No. 4 (00PL127). The additional right-of-way will create a 66 foot wide right-of-way. Currently, Jolly Lane is constructed with approximately 20 feet of paved surface, curb and gutter. The applicant is requesting a Variance to the Subdivision Regulations (07SV010) to waive the requirement to install sidewalk along Jolly Lane. Staff recommends that prior to City Council approval, the applicant submit construction plans for Jolly Lane for review and approval as identified or the applicant shall obtain a Variance to the Subdivision Regulations.

On May 1, 2007 the applicant submitted construction plans previously approved for Neff's Subdivision. However, Jolly Lane is currently constructed with approximately 20 feet of paved surface, curb and gutter and is required to be constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Staff recommends that this item be continued to the May 24, 2007 Planning Commission meeting to allow the applicant to submit construction plans for Jolly Lane for review and approval as identified or the applicant shall obtain a Variance to the Subdivision Regulations. In particular, the applicant would need to obtain a Variance to reduce the pavement width from 27 feet to 20 feet.

On May 11, 2007 the applicant submitted a Variance request (07SV028) to reduce the pavement width from 27 feet to 20 feet on Jolly Lane. This item will be considered at the June 7, 2007 Planning Commission meeting. Staff Recommends that the Preliminary Plat be continued to the June 7, 2007 Planning Commission meeting to be heard in conjunction with the Variance request.

Elk Vale Road: Elk Vale Road is located along the western lot line of proposed Lot 1 of Word of Hope Subdivision. Elk Vale Road is on the State Highway System and is identified as an arterial street on the Major Street Plan requiring a minimum 100 foot of right-of-way. The developer is responsible for constructing an arterial street to a collector street standard. Any expansion of the road beyond a collector street standard is considered over sizing and is not the developer's responsibility. Currently, Elk Vale Road is located in a 250 foot wide right-of-way with four paved travel lanes, sewer and water. There is no curb and gutter, street light conduit or sidewalks currently constructed in Elk Vale Road. The applicant has requested a Variance to the Subdivision Regulations (07SV010) to waive the requirements to improve Elk Vale Road in conjunction with this plat request. As such, staff recommends that prior to Preliminary Plat approval by the City Council, plans for Elk Vale Road shall be submitted as identified or a Variance to the Subdivision Regulations must be obtained. In addition, a non-access easement shall be identified along the western lot line, as no access will be allowed onto Elk Vale Road.

Master Plan: On January 21, 1991, City Council adopted a resolution to establish a policy to

STAFF REPORT
August 9, 2007

No. 07PL029 - Preliminary Plat

ITEM 5

request a proposed master plan for surrounding property prior to plat approval. A master plan for the entire property must be submitted for review and approval prior to Preliminary Plat approval by the Planning Commission. In particular the master plan shall identify efficient circulation of traffic, adequate access to adjoining properties, proper handling of storm water flows, and extension of public utilities.

On May 1, 2007 the applicant submitted a letter stating that the initial preliminary plans for the subject property include the proposed lot for a church use, a large lot for retail use and a small out lot at the intersection of Lancer Drive and Elk Vale Road. However, a master plan for the entire property has not been submitted for review and approval. Staff recommends that this item be continued to the May 24, 2007 Planning Commission meeting to allow the applicant to submit a master plan identifying efficient circulation of traffic, adequate access to adjoining properties, proper handling of storm water flows, and extension of public utilities.

On July 18, 2007 the applicant submitted a Master Plan identifying four future lots on the unplatted balance. The submitted Master Plan meets the requirements as identified.

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 the proposed Preliminary Plat be continued to the March 22, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the March 22, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the April 5, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the April 26, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the May 24, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the June 7, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the June 21, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the July 5, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the July 26, 2007 Planning Commission meeting to allow the applicant to submit the required information. **This item was continued to the August 9, 2007 Planning Commission meeting to allow the applicant to submit the required information. Staff recommends that the proposed Preliminary Plat be approved with the above stated stipulations.**