

STAFF REPORT  
November 8, 2007

---

**No. 07PL132 - Preliminary Plat**

**ITEM 7**

---

GENERAL INFORMATION:

|                               |   |
|-------------------------------|---|
| APPLICANT/AGENT               | Dream Design International, Inc.  |
| PROPERTY OWNER                | ZCO Incorporated  |
| REQUEST                       | <b>No. 07PL132 - Preliminary Plat</b>   |
| EXISTING<br>LEGAL DESCRIPTION | A portion of the unplatted balance of the NW1/4 NE1/4, Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota   |
| PROPOSED<br>LEGAL DESCRIPTION | Lots 8, 9, 17, 22 and 23 of Marlin Industrial Park, located in the unplatted portion of the NW1/4 NE1/4, Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE                | Approximately 31.11 acres   |
| LOCATION                      | East of South Highway 79 and south of Elk Vale Road   |
| EXISTING ZONING               | General Agriculture District  |
| SURROUNDING ZONING            |   |
| North:                        | General Agriculture District  |
| South:                        | General Agriculture District  |
| East:                         | General Agriculture District  |
| West:                         | General Agriculture District - General Commercial District<br>(Planned Residential Development)   |
| PUBLIC UTILITIES              | City water and sewer  |
| DATE OF APPLICATION           | 9/28/2007   |
| REVIEWED BY                   | Travis Tegethoff / Mary Bosworth  |

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, plans for Elk Vale Road must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, a non-access easement shall be identified along Elk Vale Road, as no access will be allowed onto Elk Vale Road;
2. Prior to Preliminary Plat approval by the City Council, revised construction plans shall be submitted including the temporary turn-around and the easement document for the temporary turn-around shall be recorded at the Register of Deeds office. In addition, non-access easements shall be identified along Creek Drive with the exception of a

STAFF REPORT  
November 8, 2007

---

**No. 07PL132 - Preliminary Plat**

**ITEM 7**

---

3. shared approach for proposed Lots 22 and 23 of Marlin Industrial Park;  
Prior to City Council approval of a Preliminary Plat, revised construction plans shall be submitted including the temporary turn-around and the easement document for the temporary turn-around shall be recorded at the Register of Deeds office;
4. Prior to Preliminary Plat approval by the City Council, a revised cost estimate of the subdivision improvements shall be submitted for review and approval;
5. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
6. 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,
7. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval.

**GENERAL COMMENTS:** The applicant has submitted this Preliminary Plat to expand the Marlin Industrial Park Subdivision by adding five lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#07SV054) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Elk Vale Road as per Chapter 16.16 of the Rapid City Municipal Code.

The property is located east of South Highway 79 and south of Elk Vale Road. Currently, the property is void of any structural development.

**STAFF REVIEW:** Staff has reviewed the Preliminary Plat and has noted the following considerations:

**Master Plan:** On January 21, 1991, City Council adopted a resolution to establish a policy to request a proposed master plan for surrounding property prior to plat approval. On February 2, 2006, a Master Plan for the entire area was submitted to the Growth Management Department for review and approval.

**Elk Vale Road:** Elk Vale Road is located along the northern lot line of this property. 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. There is no curb and gutter, street light conduit, water, sewer, or sidewalks currently constructed along this portion of Elk Vale Road. The applicant has requested a Variance to the Subdivision Regulations (#07SV054) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Elk Vale Road as per Chapter 16.16 of the Rapid City Municipal Code 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 Elk Vale Road, as no access will be allowed onto Elk Vale Road.

STAFF REPORT  
November 8, 2007

---

**No. 07PL132 - Preliminary Plat**

**ITEM 7**

---

Creek Drive: Creek Drive runs north and south through the 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 feet wide right-of-way and 36 feet wide paved surface. The applicant has submitted construction plans for Creek Drive in accordance with the Rapid City Street Design Criteria Manual. In addition, the applicant has submitted an easement document to provide a temporary turn-around at the terminus of Creek Drive. However, the construction plans do not demonstrate the construction of the temporary turn-around. As such, staff recommends that prior to Preliminary Plat approval by the City Council, revised construction plans shall be submitted as identified and the easement document for the temporary turn-around shall be recorded at the Register of Deeds office. In addition, non-access easements shall be identified along Creek Drive with the exception of a shared approach for proposed Lots 22 and 23 of Marlin Industrial Park.

Marlin Drive: Marlin Drive runs east and west through the property and is classified as an industrial/commercial street requiring that the street be located in a minimum 59 feet wide right-of-way and constructed with a minimum 26 feet wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has submitted construction plans for Marlin Drive in accordance with the Rapid City Street Design Criteria Manual. In addition, the applicant has submitted an easement document to provide a temporary turn-around at the terminus of Marlin Drive. However, the construction plans do not demonstrate the construction of the temporary turn-around. As such, staff recommends that prior to Preliminary Plat approval by the City Council, revised construction plans shall be submitted as identified and the easement document for the temporary turn-around shall be recorded at the Register of Deeds office.

Red Line Comments: Staff noted that red line comments addressing required revisions and changes have been made on the plans. Staff recommends that the comments be addressed and the red lined drawings be returned to the Growth Management Department prior to Preliminary Plat approval by City Council.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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 addition, 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 Preliminary Plat application be approved with the above stated stipulations.