

STAFF REPORT

November 21, 2001

No. 01PL064 - Layout, Preliminary and Final Plat

ITEM 2

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Robbins & Stearns
REQUEST	No. 01PL064 - Layout, Preliminary and Final Plat
LEGAL DESCRIPTION	Lot 1 and Lot 2 of Bies Subdivision formerly the unplatted balance of the SE1/4 of the NE1/4 of Section 18 located in the SE1/4 of the NE1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.058 acres
LOCATION	West of S. Highway 79, north of Minnesota Street
EXISTING ZONING	Light Industrial District/Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District/General Commercial District
East:	Heavy Industrial District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Layout, Preliminary and Final Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to City Council approval, a security bond for the subdivision improvements that have not been completed shall be provided in accordance with Section 16.20.060 of the Rapid City Municipal Code;
2. Prior to City Council approval of the Final Plat, the applicant shall provide a copy of the fully executed Corps of Engineers 404 Permit;

Fire Department Recommendations:

3. Prior to issuance of a Building Permit or on-site construction using combustible material(s), an approved water supply shall be provided and all fire hydrants shall be installed;

Urban Planning Division Recommendations:

4. Prior to City Council approval, the plat shall be revised to identify the road name of the right of way along the south property line as East Minnesota Street;

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5. **Prior to City Council approval, the plat shall be revised to include a subdivision name approved by the Register of Deeds; and,**
6. **Prior to City Council approval, the plat shall be revised to reflect a ten foot wide pedestrian access and utility easement to be provided along the south property line of Lot 2 beginning at the southeast corner of Lot 2 and extending to the extension of the west right-of-way line of Heartland Drive.**

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This request was continued from the October 25, 2001 Planning Commission meeting to allow the applicant time to obtain a Corps of Engineers 404 Permit in order to relocated the federally designated wetlands which is currently located on the subject property. As noted below, the applicant has received a proposed Department of the Army Permit. The applicant is proposing to plat an 8.058 acre parcel located at the northwest corner of Minnesota Street and SD Highway 79. The eastern one quarter of the property is currently zoned Light Industrial Zoning District with the remaining portion zoned Medium Density Residential Zoning District. A major drainage is located along the north property line and wetlands are located on the eastern portion of the property.

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

Zoning: As mentioned previously, the subject property is located within two different zoning districts. While it is not illegal to have two zoning designations on one parcel, it is not a preferred situation. The South Robbinsdale Future Land Use Plan identifies the eastern portion of the property as General Commercial with a Planned Commercial Development and the western portion designated as Medium Density Residential. The applicant has submitted a Comprehensive Plan Amendment to revise the land use designations on the subject property to match the proposed lots lines. Staff encourages the applicant to rezone the property in a timely manner.

Subdivision Name: The Register of Deeds has indicated that the subdivision name, Bies Subdivision, has already been used and has requested that the applicant choose a different subdivision name.

Road Name: The Emergency Services Coordinator has noted that for addressing purposes, the name of Minnesota Street at this location is East Minnesota Street and the plat must be revised accordingly.

Drainage: The property is located within a federally designated flood plain. The applicant has submitted plans for drainage improvements to allow for development of the property in accordance with the Floodplain Ordinance and the Rapid City Drainage Criteria Manual. Engineering Staff has reviewed the preliminary design plans and finds them to be in general compliance with the Floodplain Ordinance and the Rapid City Drainage Criteria Manual. Prior to Final Plat approval the applicant will need to complete the improvements identified in the design plans or post surety in the amount necessary to cover the cost of the improvements. Though not a requirement of plat approval Engineering Staff is recommending that the applicant obtain a Letter of Map Amendment from the Federal

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Emergency Management Agency.

Wetlands: An area along the north side of the property is a federally designated wetland. This wetland was relocated to the property as part of the development of the Dakota Ridge Subdivision. As part of the construction of the drainage channel, the applicant will need to obtain an approved 404 permit from the Corps of Engineers. The applicant has indicated that the application for this permit has been submitted. However, until this permit is granted, the project cannot go forward. **As of this writing, the Corps of Engineers has reviewed the applicant's proposed channel improvements and wetland mitigation plan and has provided the applicant with a proposed Department of the Army Permit. Staff is recommending that prior to City Council approval of the Final Plat the applicant shall provide a copy of the fully executed Corps of Engineers 404 Permit.**

Minnesota Street: Minnesota Street has been classified as an arterial street on the adopted Major Street Plan. The applicant will need to dedicate an additional 10 feet of right-of-way along Minnesota Street. **On August 20, 2001, the City Council approved a variance to the Subdivision Regulations to reduce the required right of way from 17 feet to seven feet with the stipulation that a ten foot wide pedestrian access and utility easement be provided along the south property line of Lot 2 beginning at the southeast corner of Lot 2 and extending to the extension of the west right-of-way line of Heartland Drive. Prior to City Council approval of the Final Plat the applicant must revise the plat to reflect the ten foot wide pedestrian access and utility easement.**

Utility easement: The Engineering Division has identified that a water main may, in the future, be constructed along the west property line of the proposed subdivision extending City water services to the north from Minnesota Street. A ten foot utility easement along the west property line must be identified on the Final Plat prior to City Council approval. **The property located directly to the west of the subject property is owned by the City of Rapid City. The Engineering Staff has noted that the water main will likely be constructed entirely on the City owned property eliminating the need for the ten foot utility easement along the west property line of the subject property.**

Sidewalks: The Engineering Division has noted that in addition to providing sidewalks along Minnesota Street, that the applicant must provide sidewalks along the South Dakota Highway 79 frontage as well.