

STAFF REPORT  
March 10, 2005

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**No. 05PL028 - Preliminary Plat**

**ITEM 11**

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GENERAL INFORMATION:

PETITIONER	Renner Associates, LLC for BB&R Properties
REQUEST	<b>No. 05PL028 – Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	Lot B of Shoenhard Subdivision and Lot 6 of Mann Subdivision, a portion of Vacant Section Line Right-of-Way, and Lot A of NE1/4 of the SE1/4 of Section 33, located in the N1/2 of SE1/4, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot BR of Shoenhard Subdivision and Lot 6R of Mann Subdivision located in the N1/2 of SE1/4, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.436 acres
LOCATION	3400 West Chicago Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Mining District / Public District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/11/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Layout 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, additional drainage information in compliance with the Rapid City Drainage Basin Criteria Manual shall be submitted for review and approval;
3. Prior to Preliminary Plat approval by the City Council, the water plans shall be revised to show a water service line to proposed Lot 6R. In addition, the plat document shall be revised to provide utility easements as needed;

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4. Prior to Preliminary Plat approval by the City Council, the sewer plans shall be revised to show a sewer service line to proposed Lot 6R. In addition, the plat document shall be revised to provide utility easements as needed;
5. Prior to Preliminary Plat approval by the City Council, a grading plan shall be submitted for review and approval;
6. Prior to Preliminary Plat approval by the City Council, an Approach Permit from the South Dakota Department of Transportation shall be obtained for the proposed approach along West Chicago Street to Lot 6R. In addition, the plat document shall be revised to show a non-access easement along West Chicago Street except for the approved approach location(s);
7. Prior to Preliminary Plat approval by the City Council, road construction plans for the section line highway located along the east line shall be submitted for review and approval. In particular, the road construction plans shall show the section line highway constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated. The adjacent property owner(s) shall sign the petition(s) to vacate the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way;
8. Prior to Preliminary Plat approval by the City Council, road construction plans for the private access easement shall be submitted for review and approval. In particular, street shall be located in a minimum 59 foot wide easement 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 shall be obtained;
9. Prior to Preliminary Plat approval by the City Council, road construction plans for East Chicago Street shall be submitted for review and approval. In particular, the construction plans shall show a sidewalk along East Chicago Street or a Variance to the Subdivision Regulations shall be obtained;
10. The International Fire Code shall be continually met;
11. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval; and,
12. 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.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Plat to subdivide the subject property into two 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 pavement along a section line highway and an access easement and to waive the requirement to install street light conduit and sidewalk along East Chicago Street as they abut the subject property. (See companion item #05SV015.)

On December 6, 2004, the City Council approved a Layout Plat to subdivide the subject proeprty into two lots as shown on this Preliminary Plat.

The subject property is located along West Chicago Street near the Sturgis Road intersection. Currently, a car sales lot is located on proposed Lot BR. The balance of the site is void of any structural development.

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STAFF REVIEW:

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

Drainage: Prior to Preliminary Plat approval by the City Council, additional drainage information must be submitted for review and approval. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. The plat document must be revised to provide drainage easements as needed. Staff is recommending that upon submittal of a Preliminary Plat application, 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 identified.

Fire Department: The Fire Department has indicated that all streets and turnarounds must be designed and constructed in compliance with the Street Design Criteria Manual and the Uniform Fire Code. In addition, fire hydrants must be in place and operational prior to any building construction. The Fire Department has also indicated that street signs and lot addresses must be posted prior to or in conjunction with any building construction. Staff is recommending that the International Fire Code be continually met.

East Chicago Street: East Chicago Street is located along the south lot line of the subject property. Currently, a sidewalk has not been constructed along this section of East Chicago Street. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for East Chicago Street be submitted for review and approval showing the construction of a sidewalk or a Variance to the Subdivision Regulations must be obtained.

Private Access Easement: The Preliminary Plat identifies a 40 foot wide private access easement located across proposed Lot BR to an existing lot located directly west of the subject property. The access easement is classified as an industrial street requiring that it be located in a minimum 59 foot wide easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The access easement is currently paved as a part of the adjacent parking lot. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the access easement must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must 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 an adjacent property under different ownership from 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 adjacent property owner must participate in the platting of 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. In addition, upon submittal of a Preliminary Plat application, road construction plans for the section line highway must be submitted for review and approval. In particular, the road construction plans must show the section line highway constructed with a minimum 24 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

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also has the option of vacating the section line highway; however, the adjacent property owners must sign the vacation petitions. Staff is recommending that the section line highway issue be addressed upon submittal of a Preliminary Plat application.

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