

STAFF REPORT
August 25, 2005

No. 05PL144 - Preliminary Plat

ITEM 36

GENERAL INFORMATION:

PETITIONER	Gregory Pinholt for Sidney A. Hansen
REQUEST	No. 05PL144 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 1 through 8 and 16, Block A, Hansen Heights, located in Lot 7 in the W1/2 of the SE1/4 SW1/4, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract B, Block 4, Hansen Heights, located in Lot 7 in the W1/2 of the SE1/4 SW1/4, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.368 acres
LOCATION	At the northern terminus of Ivy Avenue and adjacent to the north side of East Saint Patrick Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District - General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/11/2005
REVIEWED BY	Vicki L. Fisher / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Preliminary Plat be approved with 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 Planning Commission, construction plans for East St. Patrick Street shall be submitted for review and approval. In particular, the construction plans shall show the construction of sidewalk and sewer along East St. Patrick Street or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show the dedication of ten additional feet

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- of right-of-way along E. St. Patrick Street;
3. Prior to Preliminary Plat approval by the Planning Commission, the plat document shall be revised to show Birch Avenue as a vacated street. In addition, the plat document shall identify the book and page of the recorded Vacation of Right-of-way Resolution and shall show the portion of the previously vacated Birch Avenue right-of-way incorporated into the subject property;
 4. Prior to Preliminary Plat approval by the Planning Commission, the plat document shall be revised to show the portion of the previously vacated St. Andrew Street right-of-way incorporated into the subject property. In addition, the plat document shall identify the book and page of the recorded Vacation of Right-of-way Resolution;
 5. Prior to Preliminary Plat approval by the Planning Commission, the plat document shall be revised to show the existing 20 foot wide Black Hills Power Easement as an easement instead of a lot;
 6. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval; and,
 7. 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 replat nine lots into one commercial lot. 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 Birch Drive and to install sidewalk and to dedicate additional right-of-way along East St. Patrick Street as they abut the subject property. (See companion item #05SV053.)

The property is located approximately 750 feet east of the intersection of Elm Avenue and East St. Patrick Street on the north side of East St. Patrick Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

East St. Patrick Street: East St. Patrick Street is located along the south lot line of the subject property and is classified as a principal arterial street on the City's Major Street Plan requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, East St. Patrick Street is located in an 80 foot wide right-of-way and constructed with a 40 foot wide paved surface, curb, gutter, street light conduit and water. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans showing the installation of sidewalk and sewer along East St. Patrick Street be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to show the dedication of ten additional feet of right-of-way for East St. Patrick Street as it abuts the subject property.

Birch Avenue: On October 6, 1997, the City Council approved a Vacation of Right-of-way request to vacate Birch Avenue, including that portion located adjacent to the subject property. As such, staff is recommending that prior to Preliminary Plat approval by the

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Planning Commission, the plat document be revised to show Birch Avenue as a vacated street. In addition, the plat document must identify the book and page of the recorded Vacation of Right-of-way Resolution and the portion of the previously vacated Birch Avenue right-of-way incorporated into the subject property.

St. Andrew Street: The plat document identifies that St. Andrew Street located along the north lot line has been previously vacated. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, the plat document be revised to show the portion of the right-of-way incorporated into the subject property. In addition, the plat document must be revised to show the book and page of the recorded Vacation of Right-of-way Resolution.

Power Easement: The plat document identifies an existing 20 foot wide Black Hills Power Easement located on the subject property. Staff is recommending that prior to Preliminary Plat approval by the Planning Commission, the plat document be revised to show the existing Black Hills Power Easement as an easement with dashed and/or dotted lines instead of as a lot.

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