

STAFF REPORT
March 23, 2006

No. 06PL014 - Preliminary Plat

ITEM 5

GENERAL INFORMATION:

PETITIONER	D.C. Scott Surveyors, Inc. for West River Electric Association
REQUEST	No. 06PL014 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 1 of Neff's Subdivision No. 3 and the unplatted portion of the SW1/4 SW1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1R of Neff's Subdivision No. 3 (formerly Lot 1 of Neff's Subdivision and the unplatted portion of the SW1/4 SW1/4), Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.725 acres
LOCATION	400 Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/27/2006
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Preliminary 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, construction plans for Elk Vale Road shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with curb, gutter, sidewalk and street light conduit or a Variance to the Subdivision Regulations shall be obtained;**

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3. Prior to Preliminary Plat approval by the City Council, construction plans for the section line highway located along the south lot 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 to vacate the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way;
4. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the collector street in the northeast corner of the subject property as per the Major Street Plan or a Comprehensive Plan Amendment to the Major Street Plan shall be approved relocating and/or eliminating the collector street. In addition, road construction plans for the collector street shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 60 foot wide right-of-way and 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;
5. Prior to Preliminary Plat approval by the City Council, road construction plans for the 66 foot wide access easement shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
6. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the existing City sewer main located along the west lot line of the subject property within a utility easement;
7. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval; and,
8. 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:

(Update, March 15, 2006. All revised and/or added text is shown in bold print.) This item was continued at the March 9, 2006 Planning Commission meeting at the applicant's request.

(Update, February 24, 2006. All revised and/or added text is shown in bold print.) This item was continued at the February 23, 2006 Planning Commission meeting at the applicant's request. On February 24, 2006, the applicant again requested that this item be continued to the March 23, 2006 Planning Commission meeting. As such, staff is recommending that this item be continued as requested. Please note that no other part of this Staff Report has been revised.

The applicant has submitted a Preliminary Plat to create a 7.725 acre lot leaving a non-transferable unplatted balance. 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 an access easement and on Elk Vale Road.

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(See companion item #06SV006.) The applicant has also submitted a Vacation of Right-of-way request to vacate the section line highway located along the south lot line of the subject property. In addition, the applicant has submitted a Comprehensive Plan Amendment to the Major Street Plan to relocate a collector street. (See companion items #06VR002 and 06CA004.)

The property is located approximately 2,200 feet north of the intersection of Homestead Street and Elk Vale Road on the east side of Elk Vale Road. Currently, a utility substation is located on the eastern portion of the property.

STAFF REVIEW:

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

Elk Vale Road: The Preliminary Plat identifies Elk Vale Road located along the west lot line of the subject property. Elk Vale Road is classified as a principal arterial street on the City's Major Street Plan requiring that the street 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, Elk Vale Road is located in a 250 foot wide right-of-way and constructed with an approximate 40 foot wide paved surface, sewer and water. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for Elk Vale Road be submitted for review and approval showing the construction of curb, gutter, sidewalk and street light conduit or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: A section line highway is located along the south lot line of the subject property. The south 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 owners must participate in the platting of the south half and the north half of the section line highways. Staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the section line highways be submitted for review and approval. In particular, the road construction plans must show the section line highways 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 must be obtained or the section line highway must be vacated. The adjacent property owner(s) must sign the petition(s) to vacate the section line highway or a Variance to the Subdivision Regulations must be obtained to allow platting half a right-of-way.

Collector Street: The adopted Major Street Plan shows a collector street extending through the northeast corner of the subject property. However, the Preliminary Plat does not show the collector street. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the plat document be revised to show the collector street in the northeast corner of the subject property as per the Major Street Plan or a Comprehensive Plan Amendment to the Major Street Plan must be

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approved relocating and/or eliminating the collector street. In addition, road construction plans for the collector street must be submitted for review and approval. In particular, the road construction plans must show the street located in a minimum 60 foot wide right-of-way and 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.

Access Easement: The applicant has submitted a copy of a previously recorded miscellaneous document dedicating a 66 foot wide access easement extending from Elk Vale Road across an adjacent property to the south lot line of the subject property. The access easement is classified as a commercial street requiring that it be located in a minimum 59 foot wide right-of-way and/or easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the access easement be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

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