

STAFF REPORT
May 4, 2006

No. 04PL185 - Preliminary Plat

ITEM 3

GENERAL INFORMATION:

PETITIONER	Black Hills Surveying
REQUEST	No. 04PL185 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Unplatted portion of Tract A of Tract 1, all located in the W1/2, SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 4 and 5 of Owen Hibbard Subdivision Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.77 Acres
LOCATION	Owen Hibbard Subdivision
EXISTING ZONING	Office Commercial District/Planned Development District, General Commercial District/Planned Development District, Public District
SURROUNDING ZONING	
North:	Public District
South:	General Commercial District/Planned Development District
East:	General Commercial District
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer (to be extended)
DATE OF APPLICATION	12/09/2004
REVIEWED BY	Renee Catron-Blair / Curt Huus / Marcia Elkins

RECOMMENDATION:

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

- 1) The unimproved section line highway (Promise Road) located along the western property line shall be constructed with a minimum 76 foot right-of-way and a 40 foot wide paved surface with curb, gutter and sidewalk or a Variance to the Subdivision Regulations shall be obtained;**
- 2) Golden Eagle Drive shall be constructed with a minimum 52 foot wide right-of-way and a 27 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Subdivision Variance shall be obtained;**
- 3) U.S. Highway 16 shall be constructed with a minimum 100 foot wide right-of-way**

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and 36 foot wide paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Subdivision Variance shall be obtained;

- 4) Prior to Final Plat approval, the plat document title shall be revised to delete "Preliminary Plat of." In addition, the existing dedicated right-of-way widths shall be shown on the plat document along with all section line highways;
- 5) Prior to submittal of a Final Plat application, the plat document shall be revised to include the west half of the section line highway (located along the west lot line) or a Subdivision Variance shall be obtained;
- 6) All Subdivision Inspection fees shall be paid prior to approval of any construction plans or initiation of construction; and,
- 7) Prior to Final Plat approval, surety shall be posted for the design and construction of all required public improvements that have not been completed or installed.

GENERAL COMMENTS: This item has been continued to allow the applicant to submit a Subdivision Variance application to address the outstanding issues. The required Subdivision Variance application (06SV019) was submitted on April 4, 2006 and will be considered by the Planning Commission on May 4, 2006 allowing this Preliminary Plat application to move forward.

It should be noted that the City Council has formally acted to guarantee that the design and construction of all required improvements necessary to allow approval of this plat.

(March 31, 2006) As of this date the required subdivision variance application has not been submitted. If the application is not received by April 7, 2006, the Growth Management staff will recommend that the Preliminary Plat application be denied without prejudice.

(March 3, 2006) Staff met with the Public Works Director and a member of his staff on February 23, 2006 and reviewed the subdivision variance application process and the required information. As of this date, no variance application has been received. For this reason, staff is recommending that the Preliminary Plat application be continued to the April 6, 2006 meeting to allow the Public Works Department to submit the subdivision variance request.

(February 3, 2006) Staff has been in contact with the Public Works Director regarding submission of the required variance applications. If the related variance applications are submitted prior to the February 10, 2006 filing deadline, the Preliminary Plat may be considered by the Planning Commission on March 9, 2006.

(December 29, 2005) Staff is recommending that this request be continued to the February 9, 2006 Planning Commission meeting to allow the applicant time to submit the required subdivision variances. No other portion of this report has been updated.

(October 27, 2005 Update) Staff met with the applicant's representative regarding the items that remain to be addressed. Several subdivision variances will be requested; however, due to the applicant's schedule the requests will not be submitted until December. For that reason staff is recommending that the Preliminary Plat be continued to the January 5, 2006 Planning Commission meeting to allow the applicant to submit a subdivision variance request.

(September 16, 2005 Update) Recently the City Council took action to indicate that they will

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provide surety for the improvements required as part of this plat. Staff has set up a meeting with the owner's representative to discuss the final items that must be reviewed and addressed. For this reason, staff is recommending that the request be continued to the October 27, 2005 Planning Commission meeting.

(Update July 29, 2005) Staff recommends that this item be continued to the September 22, 2005 Planning Commission Meeting to allow the Public Works Committee to consider whether the City should proceed with Platting the property.

(Update June 17, 2005) City staff is currently reviewing the cost estimates for the required infrastructure. The estimates will then be forwarded to the Public Works Committee for consideration and a determination as to whether the City, as owner of the property, should proceed with the subdivision of the property. Staff is recommending that the item be continued to the August 4, 2005 meeting to allow for consideration of the information.

(Update April 22, 2005. All revised and/or added text is shown in bold print.) This item was continued at the April 7, 2005 Planning Commission meeting to allow the applicant time to submit additional information. To date, the information has not been submitted. The applicant has requested this item be continued at the April 26, 2005 Public Works Meeting for about a month. As such, staff is recommending that the Preliminary Plat be continued to the June 23, 2005 Planning Commission meeting to allow the applicant additional time to submit the information.

(Update March 28, 2005. All revised and/or added text is shown in bold print.) This item was continued at the March 10, 2005 Planning Commission meeting to allow the applicant time to submit additional information. To date, the information has not been submitted. As such, staff is recommending that the Preliminary Plat be continued to the May 5, 2005 Planning Commission meeting to allow the applicant additional time to submit the information.

(Update March 1, 2005. All revised and/or added text is shown in bold print.) This item was continued at the February 10, 2005 Planning Commission meeting to allow the applicant time to submit additional information. To date, the information has not been submitted. As such, staff is recommending that the Preliminary Plat be continued to the April 7, 2005 Planning Commission meeting to allow the applicant additional time to submit the information.

(Update January 31, 2005. All revised and/or added text is shown in bold print.) This item was continued at the January 6, 2005 Planning Commission meeting to allow the applicant time to submit additional information. The applicant has requested this item be continued to the March 10, 2005 Planning Commission meeting to allow them time to submit a Subdivision Variance to run in conjunction with this Preliminary Plat.

(Update January 19, 2005. All revised and/or added text is shown in bold print.) This item was continued at the January 6, 2005 Planning Commission meeting to allow the applicant time to submit additional information. The applicant has requested this item be continued to the February 24, 2005 Planning Commission meeting to allow them time to submit a Subdivision Variance to run in conjunction with this Preliminary Plat.

The applicant has submitted a Preliminary Plat to subdivide approximately seven acres into

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two lots.

The subject property is located south of Rapid City off of South U. S. Highway 16 between Promise Road and Golden Eagle Drive. Currently, there are no structures on the property.

STAFF REVIEW:

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

Promise Road: An unimproved section line highway is located along the west lot line of the subject property. Road construction plans must be submitted for review and approval. In particular, Promise Road is identified as a collector street on the Major Street Plan. The road construction plans must show the street constructed with a minimum 76 foot wide right-of-way and 40 foot wide paved surface with curb, gutter, sidewalk or a Variance to the Subdivision Regulations must be obtained.

Golden Eagle Drive: Road construction plans must be submitted for review and approval. In particular, Golden Eagle Drive is a Subcollector Street. The road construction plans must show the street constructed with a minimum 52 foot wide right-of-way and 27 foot wide paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained.

U.S. Highway 16: U.S. Highway 16 is a principal arterial street classification. Road construction plans must be submitted for review and approval. The road construction plans must show the street constructed with a minimum 100 foot wide right-of-way and 36 foot wide paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: A gravel section line highway is located along the south lot line of the subject property. The section line highway (Golden Eagle Drive) must be constructed to City Street Design Standards or a Variance to the Subdivision Regulations must be obtained. The applicant also has the option of vacating the section line highway; however, the south half of the section line highway is located on an adjacent property under different ownership than the subject property. As such, the adjacent property owner must sign the petition for the vacation of the section line highway or a Variance to the Subdivision Regulations to allow platting half a right-of-way must be obtained. Staff is recommending that the section line highway issue be addressed as identified prior to Preliminary Plat approval by the City Council.

Plat: The plat document title must be revised to delete "Preliminary Plat of." The existing dedicated right-of-way widths must be shown on the plat document in addition to the section lines shown and labeled to the south and south/west of the subject property.

Water: Water plans prepared by a Registered Professional Engineer showing the extension of water lines must be submitted for review and approval upon submittal of a Preliminary Plat application or a Variance to the Subdivision Regulations shall be obtained.

Sewer: Sewer plans prepared by a Registered Professional Engineer showing the extension of service lines shall be submitted for review and approval upon submittal of a Preliminary Plat

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application or a Variance to the Subdivision Regulations shall be obtained.

Drainage: A drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. Drainage Basin Fees must be paid at issuance of a building permit for Arrowhead Drainage Basin, calculated at \$588.00 per acre.

Fire: Verify existing fire flows as to meet the minimum standard for General Commercial zoning on the subject property. It is the responsibility of the applicant to ensure minimum required fire flows are provided at project sites for proposed structures.

Connection Fees: Sewer and water connection fees have been established for the area involved with this plat, to recover costs from city projects, which extend water supply and wastewater collection systems to this vicinity on U.S. Highway 16. Connection fees are identified as \$324.44 per acre of frontage on U.S. Highway 16 for the water connection fee (#3910-0009) and \$918.18 per acre for the sanitary sewer connection fee plus \$21.43 per foot along the lot line frontage of 156.80 feet (#3940-0010). These fees will need to be paid to the City of Rapid City Finance Office prior to service connection to the water or sewer systems in this subdivision. Connection fee procedures has indicated that connection fees are to be paid at the time a building permit is obtained to connect a service to the relevant utility, not at the time of Final Plat.

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