

STAFF REPORT
September 21, 2006

No. 06PL114 - Preliminary Plat

ITEM 3

GENERAL INFORMATION:

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| PETITIONER | Renner & Associates for ARC International |
| REQUEST | No. 06PL114 - Preliminary Plat |
| EXISTING LEGAL DESCRIPTION | The residual portion of Lots B and C, located in the SW1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lot 3, Barnhart Addition, formerly the residual portion of Lots B and C, located in the SW1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 1.798 acres |
| LOCATION | 2990 East Highway 44 |
| EXISTING ZONING | General Commercial District (Pennington County) |
| SURROUNDING ZONING | |
| North: | General Commercial District (Pennington County) |
| South: | General Commercial District (Pennington County) |
| East: | General Commercial District (Pennington County) |
| West: | General Commercial District (Pennington County) |
| PUBLIC UTILITIES | Rapid Valley Sanitary District |
| DATE OF APPLICATION | 7/14/2006 |
| REVIEWED BY | Vicki L. Fisher / Todd Peckosh |

RECOMMENDATION:

Staff recommends that the Preliminary Plat be continued to the **October 5, 2006** Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

(Update, September 8, 2006. All revised and/or added text is shown in bold print.)
This item was continued at the September 7, 2006 Planning Commission meeting to allow the applicant to submit additional information. On August 25, 2006, the applicant submitted a Variance to the Subdivision regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along an access easement and to install sidewalk along S. D. Highway 44. On August 28, 2006, staff approved an Exception request to allow an easement to serve five lots in lieu of four lots as per the Street Design Criteria Manual. On September 5, 2006,

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staff met with the applicant and their consultants to discuss the outstanding issues relative to the Preliminary Plat. To date, the balance of the additional information outlined in the meeting and previously in this Staff Report has not been submitted. As such, staff is recommending that this item be continued to the October 5, 2006 Planning Commission meeting to allow the applicant to submit the additional information.

(Update, August 25, 2006. All revised and/or added text is shown in bold print.) This item was continued at the August 24, 2006 Planning Commission meeting to allow the applicant to submit additional information. On August 25, 2006, the applicant submitted a Variance to the Subdivision regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along an access easement and to install sidewalk along S. D. Highway 44. In addition, the applicant submitted an Exception to allow an easement to serve more than four lots in lieu of right-of-way. To date, the balance of the additional information has not been submitted. As such, staff is recommending that this item be continued to the September 21, 2006 Planning Commission meeting to allow the applicant to submit the additional information and to allow this item to be heard in conjunction with the associated Variance to the Subdivision Regulations request.

(Update, August 13, 2006. All revised and/or added text is shown in bold print.) This item was continued at the August 10, 2006 Planning Commission meeting to allow the applicant to submit additional information. To date, the additional information has not been submitted. As such, staff is recommending that this item be continued to the September 7, 2006 Planning Commission meeting.

The applicant has submitted a Preliminary Plat to create one lot to be known as Lot 3 of the Barnhart Addition.

The property is located directly north of the intersection E. St. Patrick Street and S.D. Highway 44 on the north side of S.D. Highway 44. Currently, two commercial signs are located on the property.

STAFF REVIEW:

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

Access Easement: Currently, a 45 foot wide private access easement located along the east lot line of the subject property serves as access to this lot and to the property directly north of the subject property. A portion of the 45 foot wide private access easement, or 20 feet, is located on the adjacent property located directly east of the subject property. The Preliminary Plat identifies the dedication of five additional feet of easement width for the private access easement creating a 50 foot wide easement. An approximate 20 foot wide paved road has been constructed in the private access easement. In addition, a wooden bridge deck extends across an existing ditch located in the northern portion of the property. The private access easement is classified as a commercial street requiring that it be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, an Exception to the Street Design Criteria Manual must be obtained to allow the street to be located in a private access easement in lieu of right-of-way or the plat document must be

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revised to show the right-of-way or the right-of-way must be dedicated as a part of a separate plat action. Staff is recommending that this item be continued to allow the applicant to revise the plat document accordingly. In addition, construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

The applicant has submitted a site plan showing two existing signs in the private access easement. In addition, the Preliminary Plat identifies the dedication of a utility and sign easement within a portion of the existing private access easement. However, a sign is a structure and can not be located within an access easement. As such, the signs must be removed from the access easement and the plat document must be revised eliminating the "sign easement" as shown. Staff is recommending that this item be continued to allow the applicant to address the sign issue as identified.

Approach: The private access easement extends north from S.D. Highway 44 through the subject property. The access easement currently serves as a primary access to the KOA Campground located directly north of the subject property. Platting the subject property as proposed requires that an Approach Permit be obtained from the South Dakota Department of Transportation for the approach location. Staff is recommending that this item be continued to allow the applicant to obtain the Approach Permit as identified.

S.D. Highway 44: S.D. Highway 44 is located along the south lot line of the subject property. The street 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, S.D. Highway 44 is located in a 185 foot wide right-of-way and constructed with five paved lanes. In addition, the balance of the street improvements is in place with the exception of sidewalk along the south side of the street. As such, construction plans must be submitted for review and approval showing the sidewalk or a Variance to the Subdivision Regulations must be obtained.

Water and Sewer: As noted above, Rapid Valley Sanitary District has water and sewer mains located in the S.D. Highway right-of-way. The applicant has submitted a site plan showing an existing septic tank on the property. The Subdivision Regulations states that property located within 500 feet of a central sewer system be required to hook up to that system. As such, the applicant must submit construction plans for the sanitary sewer as identified or a Variance to the Subdivision Regulations must be obtained. In addition, the applicant must submit construction plans for water service to the subject property or the applicant must demonstrate an alternative water supply to the subject property that meets all South Dakota Department of Environment and Natural Resources requirements and regulations. Staff is recommending that this item be continued to allow the applicant to address the water and sewer issues as identified.

Hawthorne Irrigation Ditch: The private access easement extends across the Hawthorne Irrigation Ditch located along the north lot line of the subject property. As noted above, a small wooden bridge deck extends across the Hawthorne Irrigation Ditch. Any street extensions and/or improvements through this area, including revisions and/or expansions to the existing bridge, will require the review and approval by the Hawthorne Irrigation Ditch

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representatives. Staff is recommending that the Preliminary Plat be continued to allow the applicant to obtain the approval from the Hawthorne Irrigation Ditch representatives as identified.

Grading/Drainage: A site grading plan and a drainage plan showing stormwater flows must be submitted for review and approval. In particular, the information must demonstrate that the drainage flows enter Element 11 as per the Unnamed Tributary Drainage Basin Design Plan. Staff is recommending that the Preliminary Plat be continued to allow the applicant to submit the grading and drainage plan as identified.

Topographic Information: The applicant has submitted topographic information; however, it does not include the northern 70 feet of the subject property. As such, staff is recommending that this item be continued to allow the applicant to submit revised topographic information as identified or an application for Waiver of Subdivision Requirements must be obtained.

Non-access Easement: The plat document must be revised to show a non-access easement along S.D. Highway 44 and the first 230 feet of the access easement. Staff is recommending that the plat document be revised as identified prior to submittal of a Final Plat application.

Staff is recommending that the Preliminary Plat be continued to allow the applicant to submit the additional information as identified above.