

STAFF REPORT
January 25, 2007

No. 06PL192 - Preliminary Plat

ITEM 24

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06PL192 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The unplatted portion of the N1/2 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract A of F & N Subdivision, formerly the unplatted portion of the N1/2 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 28.29 acres
LOCATION	South of Homestead Street between Elk Vale Road and Degeest Drive
EXISTING ZONING	Low Density Residential District - Limited Agriculture District (Pennington County) - Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development) - Office Commercial District (Planned Commercial Development)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	General Commercial District – Light Industrial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	12/29/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the Planning Commission, access to the proposed unplatted balance shall be identified. If the access street is located on the proposed lot, then construction plans for the street shall be submitted for review and approval demonstrating that the street is being constructed in compliance with City Street Design Standards. In particular, the construction plans shall show the street located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide right-of-

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- way, curb, gutter, sidewalk, street light conduit, water, sewer and pavement or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, the master plan shall be revised to show Big Sky Drive extended to Neel Street;
 3. Prior to Preliminary Plat approval by the City Council, the property shall be annexed into the City limits of Rapid City;
 4. Prior to submittal of a Final Plat application, the plat title on the signature sheet of the mylar shall be revised to read "F & N Subdivision" in lieu of "Fenster/Neff Subdivision";
 5. Prior to submittal of a Final Plat application, the plat document shall be revised to show the existing 12 inch water main located along the north lot line and the existing sewer main located through the property within a public utility easement;
 6. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 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; and,
 8. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide the subject property creating a 31.09 acre lot, leaving a 6.25 acre unplatted balance. In addition, the applicant has submitted a Petition for Annexation to annex the subject property into the City limits of Rapid City. (See companion item file #06AN007.)

The property is located east of Elk Vale Road and west of Degeest Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Zoning: The subject property contains approximately 31 acres and will be zoned No Use District upon annexation into the City limits. Land located west of the proposed plat is zoned General Commercial District and Light Industrial District by the City of Rapid City. In addition, the land located north of the proposed plat is zoned General Commercial with a Planned Commercial Development and Office Commercial with a Planned Commercial Development by the City of Rapid City. The property located south and east of the proposed plat is zoned Suburban Residential District by Pennington County. The Future Land Use Plan identifies the appropriate use of the southern portion of the property as Public with an alternate land use of Low Density Residential District. In addition, the Future Land Use Plan identifies the appropriate use of the subject property along Neel Street as Neighborhood Commercial with a Planned Commercial Development. The appropriate land use of the western portion of the property along Elk Vale Road is identified as General Commercial with a Planned Commercial Development. Lastly, the appropriate land use of the eastern portion of the property is identified as Low Density Residential and as Medium Density Residential with a Planned Residential Development. Prior to issuance of a building permit or within 120 days after the effective date of annexation as per Chapter 17.26.020, the property must be rezoned as identified on the Elk Vale Neighborhood Future Land Use

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Plan as identified or a Comprehensive Plan Amendment to the Future Land Use Plan must be obtained.

Unplatted Balance: The unplatted balance is located along Elk Vale Road; however, the South Dakota Department of Transportation has indicated that access may not be taken from Elk Vale Road at this location. In addition, the section line highway located south of the unplatted balance has been previously vacated. The Preliminary Plat does not identify access, existing or proposed, to the unplatted balance. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, access to the proposed unplatted balance be identified. If the access street is located on the proposed lot, then construction plans for the street must be submitted for review and approval demonstrating that the street is being constructed in compliance with City Street Design Standards. In particular, the construction plans must show the street located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide right-of-way, curb, gutter, sidewalk, street light conduit, water, sewer and pavement or a Variance to the Subdivision Regulations must be obtained.

Master Plan: The applicant has submitted a master plan showing the future subdivision of the subject property into 48 lots. In addition, the master plan shows the extension of Neel Street, a collector street, extending through the subject property in compliance with the Major Street Plan. The master plan also shows the extension of Avenue A and Dorothy Street through the property to provide street networking within the development. Currently, Big Sky Drive terminates at the northeast corner of the property along the north lot line. Extending Big Sky Drive to Neel Street will provide additional street networking within the development and between the adjacent properties. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the master plan be revised to show Big Sky Drive extended to Neel Street as identified.

Utilities: Currently a sewer main is located through the subject property along the future right-of-way for Neel Street. In addition, a 12 inch water main is located along the north lot line. Staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to show the existing 12 inch water main and sewer main located within a public utility easement.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a Warranty Surety be submitted for review and approval as required.

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