

STAFF REPORT
March 22, 2007

No. 07PL035 - Preliminary Plat

ITEM 9

GENERAL INFORMATION:

PETITIONER Dream Design International, Inc.

REQUEST **No. 07PL035 - Preliminary Plat**

EXISTING
LEGAL DESCRIPTION

A parcel of land located in the NE1/4 of Section 4 of T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of Lot 3 of Block 1 of Rushmore Business Park, located in the S1/2 NE1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat recorded on November 8, 2001 and filed in Book 30 of Plats on Page 101, said point being located on the southerly edge of Homestead Street right-of-way, and said point being marked by a nail; Thence, curving southeasterly to the left, along the southerly edge of Homestead Street right-of-way, along a curve with a radius of 538.00 feet, a delta of 35°01'57", an arc length of 328.95 feet, and a chord bearing of S72°30'31"E and a chord distance of 323.85 feet, to a point on the southerly edge of Homestead Street right-of-way, said point being marked by a rebar with survey cap "Huus LS 5680"; Thence, continuing easterly along the southerly edge of Homestead Street right-of-way, S89°59'32"E, a distance of 232.16 feet, more or less, to a point along the westerly edge of Elk Vale Road right-of-way, said point being marked by a rebar with cap "RW Fisk 6565"; Thence, southerly along the westerly edge of Elk Vale Road right-of-way, S00°11'38"E, a distance of 196.45 feet, more or less, to the northeast corner of Lot A of 1R of Block 4 of Rushmore Regional Industrial Park, as shown on the plat recorded May 3, 2000 and filed in Book 29 of Plats on Page 148, said point being marked by a SDDOT monument; Thence, westerly along the north edge of said Lot A of Lot 1R of Block 4 of Rushmore Regional Industrial Park, and along the northerly edge of Lot 2 of Block 4 of Rushmore Regional Industrial Park, as shown on the plat recorded September 24, 1981 and filed in Book 18 of Plats on Page 103, S89°49'00"W, a distance of 541.37 feet, more or less, to the southeast corner of said Lot 3 of Block 1 of Rushmore Business Park, said point being marked by a rebar with survey cap "Huus LS 5680"; Thence, northerly along the easterly edge of said Lot 3 of Block 1 of Rushmore Business Park, N00°03'55"W, a distance of 295.55 feet, more or less, to the point of beginning

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PROPOSED
LEGAL DESCRIPTION Lot 1 of Block 1 of Hilltop Business Park Subdivision,
located in the NE1/4 of Section 4, T1N, R8E, BHM,
Rapid City, Pennington County, South Dakota

PARCEL ACREAGE Approximately 2.67 acres

LOCATION Southwest of the Intersection of Homestead Street and
Elk Vale Road

EXISTING ZONING General Commercial District

SURROUNDING ZONING
North: General Commercial District
South: General Commercial District
East: General Commercial District
West: No Use District

PUBLIC UTILITIES Public water and sewer

DATE OF APPLICATION 2/23/2007

REVIEWED BY Jonathan Smith / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by City Council the applicant shall submit for review and approval construction plans for sidewalk along Homestead Street and Elk Vale Road, or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by City Council the applicant shall submit for review and approval construction plans for curb and gutter along Elk Vale Road, or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by City Council the applicant shall submit a revised plat document identifying a 200 foot non-access easement along Homestead Street measured from the end of the curb radius, and a shared access easement along the western boundary of the property if applicable;
4. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
5. 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;
6. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
7. Prior to issuance of a building permit the applicant shall submit for review and approval a grading plan, and a drainage plan.

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GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat application to plat a 2.67acre lot known as Lot 1. The proposed lot is located south of the intersection of Homestead Street and Elk Vale Road. Current zoning of the proposed lot is General Commercial District. The subject property is currently void of any structural development. A Variance to the Subdivision regulations (07SV011) to waive the required improvements along Elk Vale Road and Homestead Street has been submitted in conjunction with this Preliminary Plat request.

STAFF REVIEW:

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

Streets:

The subject property abuts Elk Vale Road, which is a principal arterial street on the eastern boundary. Elk Vale Road is a State Highway and is constructed with four lanes and turn bays for that portion of the road the abuts the proposed subdivision. The existing road exceeds the minimum requirements for 100 feet right-of-way and three - twelve foot wide lanes as required of the developer. Currently sewer, water, street light conduit, and pavement are in place along Elk Vale Road where it abuts the subject property. There is no curb, gutter and sidewalks constructed along this segment of Elk Vale Road. The applicant is required to construct curb and gutter, as well as construct a sidewalk along the subject property boundary where it abuts Elk Vale Road, or obtain a Variance to the Subdivision Regulations.

The subject property abuts Homestead Street, a collector street on the northern boundary. Homestead Street is an improved street that meets the standards of a minimum 60 feet right-of-way- width, and 24 feet width of pavement as specified in the Street Design Criteria Manual. Currently water, sewer, street light conduit, curb, gutter and pavement are in place along Homestead Street where it abuts the subject property. Sidewalks are not in place along that portion of Homestead Street abutting the proposed subdivision. The applicant is required to install a sidewalk along both sides of Homestead Street where it abuts the proposed subdivision or obtain a variance to the Subdivision Regulations.

Water and Sewer

Staff has noted that both water and sewer mains exist along the subject property where it abuts Elk Vale Road and Homestead Street.

Access Easement

Staff has noted that a site plan submitted in conjunction with the proposed Preliminary Plat identifies a shared access easement on the western boundary of the subject property. However this shared access easement is not shown on the plat document. Prior to City Council approval the applicant shall verify the existence of the shared access easement and include a reference to the book and page where the access easement is recorded on the revised plat document. Staff has also noted that the non-access easement along Homestead Street shall be extended 200 feet back along the frontage, rather than the 50 feet currently identified on the plat.

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

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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.