

STAFF REPORT
October 25, 2007

No. 07PL133 - Preliminary Plat

ITEM 15

GENERAL INFORMATION:

APPLICANT	Robert Ellis for City of Rapid City
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	City of Rapid City
REQUEST	No. 07PL133 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A parcel of land located in the S1/2 SW1/4 NE1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the south one-quarter corner of said Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; thence, northerly along the center one-quarter line of said Section 9, N00°06'45"E, a distance of 3312.73 feet more or less to the south 1/64th line of the NE1/4 of said Section 9; thence, easterly along the north line of the S1/2 SW1/4 NE1/4, Section 9, S89°58'14"E, a distance of 279.27 feet more or less to the point of beginning; thence, continuing easterly along the north line of the S1/2 SW1/4 NE1/4, Section 9, S89°58'14"E, a distance of 670.67 feet more or less, to a point on the southerly line of the adjoining railroad right-of-way; thence, southeasterly along the southerly line of said railroad right-of-way, S51°15'21"E, a distance of 38.60 feet more or less; thence, S38°45'09"W, a distance of 17.16 feet more or less; thence, curving to the right on a normal curve with a radius of 227.45 feet, a delta of 29°07'46", and an arc length of 115.64 feet more or less; thence, S67°52'55"W, a distance of 126.32 feet, more or less; thence, curving to the left on a normal curve with a radius of 170.00 feet, a delta of 42°06'45", and an arc length of 124.95 feet more or less; thence, S25°46'10"W, a distance of 32.55 feet more or less; thence, N64°13'50"W, a distance of 60.00 feet more or less; thence, N53°24'13"W, a distance of 403.56 feet more or less to the point of beginning
PROPOSED LEGAL DESCRIPTION	Lot 1 of Wally Byam Addition and Dedicated Right-of-way, located in the S1/2 SW1/4 NE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

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PARCEL ACREAGE	Approximately 2.18 acres
LOCATION	S. D. Highway 44 West and Lytle Lane
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/28/2007
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Planning Commission approval, a Master Plan for the balance of the property shall be submitted for review and approval. In addition, the street name shall be changed if it is determined that the street will not extend through the site;
2. Prior to City Council approval of the Preliminary Plat, road construction plans for Lytle Lane shall be submitted for review and approval. In particular, the plans shall show the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the construction plans shall show a bike path along the north side of Lytle Lane. In lieu of submitting the road construction plans, a Variance to the Subdivision Regulations shall be obtained to waive the requirement to install the improvements or surety shall be posted for the design and construction of the street;
3. Prior to City Council approval of the Preliminary Plat, the plat document shall be revised to show periodic inundation on any portion of the property subject to storm drainage, overflow or ponding as per Chapter 16.20.040.H of the Rapid City Municipal Code. In addition, prior to any development within the 100 year federally designated floodplain, a Floodplain Development Permit shall be obtained as needed. In addition, a 404 Permit shall be obtained from the Corp of Engineers as needed;
4. Prior to City Council approval of the Preliminary Plat, a drainage plan in compliance with the Unnamed Tributary Drainage Basin Design Plan shall be submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;
5. Prior to City Council approval of the Preliminary Plat, an Approach Permit shall be obtained from the South Dakota Department of Transportation;
6. Prior to submittal of a Final Plat application, the plat document shall be revised to show the existing water main extending through the property within a Utility Easement;
7. Upon submittal of a Final Plat application, surety for any required subdivision

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- 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 create a 2.18 acre lot leaving an unplatted balance of approximately 103 acres. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#07SV056) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water sewer and pavement along Lytle Lane.

The property is located in the southwest corner of the intersection of Lytle Lane and S.D. Highway 44. 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 property is currently zoned General Agriculture District. In addition, the City's Future Land Use Plan identifies the appropriate use of the property as general agricultural. Any proposed use(s) of the property not allowed within the General Agriculture District will require that the property be rezoned and a Comprehensive Plan Amendment to the Future Land Use Plan be obtained prior to issuance of a building permit.

Master Plan: To date, a Master Plan has not been submitted for review and approval showing the development of the balance of the property. As such, staff is recommending that prior to Planning Commission approval, a Master Plan for the balance of the property be submitted for review and approval. In addition, the street name shall be changed if it is determined that the street will not extend through the site.

Lytle Lane: Lytle Lane is located along the south lot line of the proposed lot and will serve as access to the property. Lytle Lane is classified as a Lane Place Street requiring that the street be located within a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the City's adopted bike path shows a bike path located along the north side of the Lytle Lane right-of-way. The Preliminary Plat identifies Lytle Lane within a proposed 60 foot wide right-of-way. In addition, the street is currently constructed with a 12 foot wide graveled surface. Staff is recommending that prior to City Council approval of the Preliminary Plat, the road construction plans be submitted for review and approval showing the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the construction plans must show a bike path along the north side of Lytle Lane. In lieu of submitting the road construction plans, a Variance to the Subdivision Regulations shall be obtained to waive the requirement to install the improvements or surety shall be posted for the design and construction of the street.

Floodplain: A portion of the property is located in a 100 year federally designated floodplain. Chapter 16.20.040.H of the Rapid City Municipal Code states a Preliminary Plat must show periodic inundation on any portion of the property subject to storm drainage, overflow or ponding. As such, staff is recommending that prior to City Council approval of the

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Preliminary Plat, the plat document be revised to show the periodic inundation as identified. In addition, prior to any development within the 100 year federally designated floodplain, a Floodplain Development Permit must be obtained as needed. A 404 Permit must also be obtained from the Corp of Engineers as needed.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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 addition, 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.

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.