

STAFF REPORT  
January 10, 2008

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**No. 07PL165 - Preliminary Plat**

**ITEM 71**

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GENERAL INFORMATION:

APPLICANT	Pete Lien and Sons
AGENT	Renner & Associates
PROPERTY OWNER	Leonard Keller
REQUEST	<b>No. 07PL165 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	Lots A and B of Keller Subdivision, located in the S1/2 of the SE1/4, Section 17, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Lot A and Lot BR of Keller Subdivision, located in the S1/2 of the SE1/4, Section 17, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 29.22 acres
LOCATION	West of Sturgis Road and north of Universal Drive
EXISTING ZONING	General Commercial District - Heavy Industrial District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District
South:	Heavy Industrial District
East:	Suburban Residential District - General Commercial District
West:	General Agriculture District
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	12/13/2007
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 of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing that the proposed on-site water system will provide sufficient domestic and fire flows and water quality shall be submitted for review and approval. In addition, the plat document shall be revised to show utility easements as needed;

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2. Prior to Planning Commission approval of the Preliminary Plat, additional drainage information shall be submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;
3. Prior to Planning Commission approval of the Preliminary Plat, additional grading information must be submitted for review and approval demonstrating that the proposed grading does not affect the limits of the base flood boundary of Box Elder Creek;
4. Prior to City Council approval of the Preliminary Plat, a site plan shall be submitted for review and approval showing the proposed approach and driveway locations. In addition, the plat document shall be revised to show a non-access easement along Sturgis Road with the exception of the existing approach located at the 1/16 section line highway or an Approach Permit shall be obtained from the South Dakota Department of Transportation for any additional and/or alternate approach locations;
5. Prior to Preliminary Plat approval by the City Council, road construction plans for Sturgis Road shall be submitted for review and approval. In particular, Sturgis Road shall be constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
6. Prior to submittal of a Final Plat application, the plat document shall be revised to show S.D. Highway 79 as "Sturgis Road";
7. Upon submittal of a Final Plat application, a note shall be placed on the plat indicating that at the time a Building Permit is applied for, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided;
8. Prior to City Council approval of the Preliminary Plat, a cost estimate of the subdivision improvements shall be submitted for review and approval;
9. 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,
10. 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 reconfigure two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#07SV066) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along Sturgis Road.

On November 21, 2005 the City Council denied without prejudice a similar Preliminary Plat (#05PL072) for the property at the applicant's request. In addition, the City Council denied without prejudice a similar Variance to the Subdivision Regulations (#05SV027) for Sturgis Road at the applicant's request.

The property is located west of Sturgis Road and north of Universal Drive. The property was the previous site of the greyhound dog racing track. Currently, a portion of the facility is still located on the property.

**STAFF REVIEW:**

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

Water: The applicant has indicated that a private on-site water system will serve the property.

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However, water plans for the private on-site system have not been submitted for review and approval. As such, staff is recommending that prior to Planning Commission approval of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing that the proposed on-site water system will provide sufficient domestic and fire flows and water quality be submitted for review and approval. In addition, the plat document must be revised to show utility easements as needed.

Drainage: An “arrow” drainage plan has been submitted for review and approval. However, the plan does not show where the drainage goes mid-way through the property. As such, staff is recommending that prior to Planning Commission approval of the Preliminary Plat, additional drainage information be submitted for review and approval. In addition, the plat document must be revised to show drainage easements as needed.

Grading: The grading cross section exhibit submitted with the application does not show the location of the cross-sections in the plan view. Additional grading information must be submitted for review and approval demonstrating that the grading does not affect the limits of the base flood boundary of Box Elder Creek.

Sturgis Road: Sturgis Road is located along the east lot line of the subject property and 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, Sturgis Road is located in a 130 foot wide right-of-way with a 45 foot wide paved surface, which meets the minimum pavement requirement. Staff is recommending that upon submittal of a Preliminary Plat application, construction plans be submitted for review and approval showing the street constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Approach Location(s): The South Dakota Department of Transportation has indicated that the existing approach at the 1/16 line may remain. However, the two intermediate approaches on the property located between the 1/16 line and the section line highway located south of the property must be eliminated. Staff is recommending that prior to City Council approval of the Preliminary Plat, a site plan be submitted for review and approval showing the proposed approach and driveway locations. In addition, the plat document must be revised to show a non-access easement along Sturgis Road with the exception of the existing approach located at the 1/16 section line highway. An Approach Permit must be obtained from the South Dakota Department of Transportation for any additional and/or alternate approach locations. Please note that the South Dakota Department of Transportation has indicated that the two existing intermediate approach locations must be eliminated.

Plat Labeling: In 2006, S.D. Highway 79 was renamed “Sturgis Road” by Pennington County. As such, staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to show S.D. Highway 79 as “Sturgis Road”.

The Register of Deed’s Office has stated that the plat title is acceptable but suggests that it be revised to read” Lot AR and Lot BR of Keller Subdivision (formerly...)”.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that

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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 the 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.