

STAFF REPORT
April 10, 2008

No. 08PL031 - Preliminary Plat

ITEM 16

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Children's Home Society of South Dakota
REQUEST	No. 08PL031 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of Tract A of F&N Subdivision and Tract B of Neff's Subdivision No. 4, NW1/4 SW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract BR, Neff's Subdivision No.4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.977 acres
LOCATION	Jolly Lane terminus, east of Elk Vale Road
EXISTING ZONING	Office Commercial District (Planned Commercial Development) / Low Density Residential District
SURROUNDING ZONING	
North:	Light Industrial District / General Agricultural District
South:	Low Density Residential District / Suburban Residential District - Pennington County
East:	Suburban Residential District - Pennington County
West:	General Commercial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	3/14/2008
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 City Council, an Exception shall be obtained to allow a 1,200 foot long cul-de-sac street with no intermediate turnaround at a 600 foot interval or an intermediate turnaround shall be provided as required;
2. Prior to Preliminary Plat approval by the City Council, construction plans for Jolly Lane shall be submitted for review and approval. In particular, the construction plans shall show the street with a minimum 27 foot wide paved surface. In addition, the cul-de-sac bulb shall be constructed with a minimum 96 foot wide paved surface. The construction

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- plans shall also show a sidewalk along Jolly Lane or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, a Stormwater Management Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if necessary;
 4. 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,
 5. 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 3.977 acre parcel. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #08SV015) to waive the requirement to provide additional pavement and a sidewalk along Jolly Lane.

On January 22, 2004, the City Council approved an Initial and Final Commercial Development Plan to allow an emergency foster home with outside counseling services and general office uses to be located on Tract B, or the western portion of this proposed lot.

The property is located at the northeast terminus of Jolly Lane. Currently, the emergency foster care home is located on the property.

STAFF REVIEW:

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

Zoning: Existing Tract B, or the western two-third's of the proposed lot, is currently zoned Office Commercial District with a Planned Commercial Development. As previously indicated, the approved Commercial Development Plan allows an emergency foster home with outside counseling services and general office uses to be located on Tract B. The balance of the proposed lot, or the eastern one-third of the lot, is currently zoned Low Density Residential District. Any expansion of the emergency foster care home uses with outside counseling and general offices into the Low Density Residential District will require that the property be rezoned and that the Commercial Development Plan be amended to expand the boundaries of the approved development. The Future Land Use Plan currently identifies the appropriate use of the eastern one-third area of the proposed lot as Low Density Residential District. As such, expanding the emergency foster care home uses into this area will also require a Comprehensive Plan Amendment to the Future Land Use Plan.

Jolly Lane: Jolly Lane is an approximate 1,200 foot long cul-de-sac street and is located along the west lot line of the property. Jolly Lane is classified as a sub-collector street requiring that it be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, the permanent turnaround at the end of the cul-de-sac must have a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface. Currently, Jolly Lane is located within a 66 foot wide right-of-way and constructed with an approximate 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer. The bulb is located within a 110 foot diameter right-of-way and constructed with an approximate 88 foot

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diameter paved surface, curb, gutter, street light conduit, water and sewer. Staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans for Jolly Lane must be submitted for review and approval showing the street with a minimum 27 foot wide paved surface. In addition, the cul-de-sac bulb must be constructed with a minimum 96 foot wide paved surface. The construction plans must also show a sidewalk along Jolly Lane or a Variance to the Subdivision Regulations must be obtained.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. If the Variance to the Subdivision Regulations is not obtained, an Erosion and Sediment Control Permit must be submitted. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if necessary.

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 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.