

STAFF REPORT
November 5, 2009

No. 09PL066 - Preliminary Plat

ITEM 23

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	HDRK Properties, LLC
REQUEST	No. 09PL066 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Tract C of Rushmore Center, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Tract C of Rushmore Center, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.79 acres
LOCATION	1520 Luna Avenue
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial District)
South:	General Commercial District (Planned Development Designation) - General Agriculture District
East:	General Commercial District (Planned Development Designation) - General Agriculture District
West:	General Commercial District (Planned Commercial District)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/9/2009
REVIEWED BY	Patsy Horton / Ted Johnson

RECOMMENDATION: Staff recommends that the Preliminary Plat be continued to the November 19, 2009 Planning Commission meeting.

GENERAL COMMENTS: The applicant has submitted a Preliminary Plat to subdivide Tract C by creating a 1.79 acre lot, leaving the remaining 6.615 acre portion as a balance of Tract C. The property is currently vacant and is located north of East Anamosa Street, east of Luna Avenue and south of Eglin Street. The applicant has submitted an associated Variance to the Subdivision Regulations application (#09SV021) to waive the requirements to construct pavement, curb, gutter, sidewalk, water, sewer, and street light conduit on a shared access

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easement to Lot 1 of Tract C, an Initial and Final Planned Commercial Development Plan (#09PD051), a Comprehensive Plan Amendment application (#09CA028) and a Rezoning application (#09RZ048).

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

Master Plan: On January 21, 1991, the City Council adopted a resolution establishing a policy that a Master Plan for the surrounding properties be submitted prior to Layout Plat approval, including pedestrian and vehicular connections. To date, a Master Plan has not been submitted for the surrounding properties. (The applicant in this application is not required to submit a Layout Plat because all of the infrastructure improvements are in place, hence the Preliminary Plat application.) As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit a Master Plan for review and approval for the balance of Tract C as per the City's adopted resolution.

Master Utility Plan: The Master Utility Plan ensures that the property as well as the adjacent properties can be served from water and sewer mains extending south along Luna Avenue. However, because a Master Plan for the property has not yet been submitted for review and approval, the determination that water and sewer mains within the Luna Avenue right-of-way can provide adequate utilities for the balance of Tract C. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit a Utility Master Plan as identified.

Shared Access Easement: The applicant has submitted a proposed shared access easement 20 feet wide by 60 feet long along the south property line. The shared approach must not exceed 40 feet by 40 feet or construction plans must be submitted for review and approval showing the driveway constructed to City Street Design Standards with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer and located within a minimum 45 foot wide right-of-way or a Variance to the Subdivision Regulations must be obtained. By creating a 40 foot by 40 foot shared access easement, the applicant can eliminate the need for the Subdivision Variance for the driveway construction. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit a revised plat document to reflect a 40 foot by 40 foot shared access easement.

Non-access Easement: The plat identifies an Access and Utility Easement located along the northern lot line. As such, staff recommends that the plat be revised to reflect a non-access easement along the entire Access and Utility Easement unless the applicant can demonstrate that the Access Easement specifically authorizes that proposed Lot 1 of Tract C can utilize the Access Easement. Additionally, the plat needs to be revised to reflect a non-access easement starting at the northwest corner of the property extending south along Luna Avenue approximately 135 feet.

Staff recommends that the Preliminary Plat be continued to the November 19, 2009 Planning Commission meeting to allow the applicant to submit the additional information as identified above.