

STAFF REPORT
August 7, 2008

No. 08PL105 - Preliminary Plat

ITEM 14

GENERAL INFORMATION:

APPLICANT	Paul Bradsky for Atlantis, LLC
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Ralph D. Newman
REQUEST	No. 08PL105 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 1 of Atlantis Subdivision and Tract E (less Lot 1) of W-Y Addition, located in the W1/2 SW1/4, Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 revised of Atlantis Subdivision, located in the W1/2 SW1/4, Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.32 acres
LOCATION	1314 North Elk Vale Road
EXISTING ZONING	General Commercial District - No Use District
SURROUNDING ZONING	
North:	Box Elder
South:	General Commercial District
East:	Box Elder
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/11/2008
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, road construction plans for Elk Vale Road shall be submitted for review and approval. In particular, Elk Vale Road shall be constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;

STAFF REPORT
August 7, 2008

No. 08PL105 - Preliminary Plat

ITEM 14

2. Prior to Preliminary Plat approval by the City Council, road construction plans for the I-90 frontage road shall be submitted for review and approval. In particular, the I-90 frontage road shall be constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the adjacent access easement. In addition, road construction plans for the access easement shall be submitted for review and approval. In particular, road construction plans shall show the access easement with a minimum 59 foot width and constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
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. Prior to submittal of a Final Plat application, the plat title shall be revised to add "formerly...balance of Tract E, Less Lot 1 of W-Y Additions...";
6. 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;
7. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
8. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to combine two parcels into one lot. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #08SV037) to waive the requirement to install curb, gutter, sidewalk, and street light conduit along Elk Vale Road and the I-90 frontage road, to reduce the width of the access easement from 59 feet to 26 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement.

On June 6, 2005, the City Council approved a Layout Plat (File #05PL80) to create Lot 1 of Atlantis Subdivision, which included a portion of this property. In addition, the City Council approved a Variance to the Subdivision Regulations (File #05SV032) to waive the requirement to install curb, gutter, sidewalk and street light conduit along Elk Vale Road and I-90 frontage road and to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement along the access easements as they abut the property.

On December 13, 2005, the City approved a Final Plat (File #05PL277) to create Lot 1 of Atlantis Subdivision.

The property is located east of Elk Vale Road and south of the I-90 frontage road. Currently, the Fairfield Inn & Suites and the Watiki water park are located on the property. The applicant has submitted a Master Plan showing the future construction of a second motel on the western portion of the property and the expansion of the Watiki Water Park on the eastern portion of the property.

STAFF REPORT
August 7, 2008

No. 08PL105 - Preliminary Plat

ITEM 14

STAFF REVIEW:

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

Elk Vale Road: Elk Vale Road is located along the west 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, Elk Vale Road is located in a 200 foot wide right-of-way and constructed with an approximate 76 foot wide paved surface. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for Elk Vale Road 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.

I-90 Frontage Road: The I-90 frontage road is located along a portion of the north lot line of the subject property and is classified as a commercial street requiring that the street be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, the I-90 frontage road is located in the I-90 right-of-way and is constructed with an approximate 26 foot wide paved surface. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for I-90 frontage road 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.

Access Easement: An access easement currently exists on the adjacent property providing access from the I-90 service road to this property. The access easement is classified as a commercial street requiring that it be located in a minimum 59 foot wide easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, the access easement is a 26 foot wide easement and constructed with a 26 foot wide paved surface. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the access easement be submitted for review and approval showing the easement with a minimum width of 59 feet and constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. Staff is also recommending that the plat document be revised to show the existing access easement as required.

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 must 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.

STAFF REPORT
August 7, 2008

No. 08PL105 - Preliminary Plat

ITEM 14

In 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 any public improvements, a Warranty Surety be submitted for review and approval if subdivision improvements are required.

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