

STAFF REPORT
April 24, 2008

No. 08PL046 - Preliminary Plat

ITEM 32

GENERAL INFORMATION:

APPLICANT	Larry P. and Terry Silver Wetch
AGENT	Ron Davis for Davis Engineering, Inc.
PROPERTY OWNER	Larry P. Wetch
REQUEST	No. 08PL046 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Tract C of C.D. Rounds Subdivision, located in the SE1/4, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A and B of Tract C of C.D. Rounds Subdivision, located in the SE1/4, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.0 acres
LOCATION	3401 Sturgis Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Low Density Residential District - General Commercial District
East:	General Commercial District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

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 the proposed 20 foot wide private access easement shall be submitted for review and approval. In particular, the construction plans shall show the access easement with a minimum 59 foot width and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;

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2. Prior to Preliminary Plat approval by the City Council, road construction plans for the alleys located along the south and west lot line of the property, respectively, shall be submitted for review and approval. In particular, the construction plans shall show the alleys constructed with a minimum 20 foot wide paved surface. In addition, the plat document shall be revised to show an additional 1.5 feet of right-of-way along the west lot line 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 previously dedicated 16 foot wide utility and drainage easement along the west and south lot lines of the property or the easement shall be vacated. If the applicant proposes to vacate the utility and drainage easement, then all of the affected utility companies shall concur with the vacation of the easement and the applicant shall demonstrate that the easement is no longer needed for drainage;
4. Prior to Preliminary Plat approval by the City Council, the proposed 20 foot wide access easement shall be revised to preclude the existing structure located on proposed Tract B of Tract C from encroaching into the easement;
5. Prior to Preliminary Plat approval by the City Council, a grading and drainage plan shall be submitted for review and approval if subdivision improvements are required;
6. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required;
7. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
8. Prior to submittal of a Final Plat application, the plat document shall be revised to show non-access easement along Sturgis Road except for the approved approach location(s);
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 subdivide one parcel into two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#08SV022) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along the proposed access easement, to reduce the width of the proposed access easement from 59 feet to 20 feet and to waive the requirement to improve the adjacent alleys with a minimum 20 foot wide paved surface.

The property was originally platted in 1993. In 2004, the City approved a SDCL 11-6-19 Review to allow the construction of a monopole communication tower on the property.

The property is located approximately 230 feet north of the intersection of W. Main Street and Sturgis Road on the west side of Sturgis Road. A monopole communication tower and equipment building is currently located on proposed Lot A of Tract C. In addition, a commercial structure is located on proposed Lot B of Tract C.

STAFF REVIEW:

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

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Access Easement: The Preliminary Plat identifies a 20 foot wide private access easement extending west from Sturgis Road to serve as access to Lot A of Tract C. The access easement is classified as a commercial street requiring that it be located with a minimum 59 foot wide easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, the access easement is constructed with a 20 foot wide paved surface. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the proposed 20 foot wide private access easement be submitted for review and approval as identified. In addition, the plat document must be revised to show the access easement with a minimum 59 foot width or a Variance to the Subdivision Regulations must be obtained.

It appears that the existing commercial structure located on proposed Lot B of Tract C encroaches approximately six inches into the proposed 20 foot wide private access easement. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the proposed 20 foot wide access easement be revised to preclude the existing structure from encroaching into the easement.

Alleys: An unimproved alley is located along the south lot line and the west lot line of the property. The Street Design Criteria Manual requires that an alley be located within a minimum 20 foot right-of-way and constructed with a minimum 20 foot wide paved surface. The alley located along the south lot line is located within a 20 foot right-of-way and the alley located along the west lot line is located within a 17 foot wide right-of-way. Staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the alleys be submitted for review and approval showing the alleys constructed with a minimum 20 foot wide paved surface. In addition, the plat document must be revised to show an additional 1.5 feet of right-of-way along the west lot line or a Variance to the Subdivision Regulations must be obtained.

Utility and Drainage Easement: A 16 foot wide utility and drainage easement was previously dedicated along the south and west lot lines of the property. However, this plat document does not show the easement. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the plat document be revised to show the previously dedicated utility and drainage easement or the easement must be vacated. If the applicant proposes to vacate the utility and drainage easement, then all of the affected utility companies must concur with the vacation of the easement and the applicant must demonstrate that the easement is no longer needed for drainage.

Grading and Drainage Plan: If any subdivision improvements are required, a grading and drainage plan must be submitted for review and approval. Staff is recommending that the grading and drainage plan be submitted for review and approval prior to Preliminary Plat approval by the City Council if needed.

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. Staff is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and

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Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if any subdivision improvements are 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 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 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.