

STAFF REPORT
May 22, 2008

No. 08PL064 - Preliminary Plat

ITEM 34

GENERAL INFORMATION:

APPLICANT	Pat Tlustos for Bypass LLC
AGENT	FMG, Inc.
PROPERTY OWNER	DTH, LLC
REQUEST	No. 08PL064 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A tract of land located in the S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 21, T2N, R8E, BHM, Pennington County, South Dakota, more particularly described as follows: Commencing at a point which is a 5/8" rebar with survey cap marked "FMG Inc. LS SD 6119" marking the northwest corner of Lot 1 of Block 7 of I-90 Heartland Business Park; Thence N26°45'42"E a distance of 608.43', more or less, to a point; Thence S89°57'07"E a distance of 370.00', more or less, to a point; Thence S72°38'37"E a distance of 162.98', more or less, to a point; Thence S55°39'21"E a distance of 878.48', more or less, to a point; Said point being on the section line between Section 21, T2N, R8E, BHM and Section 28, T2N, R8E, BHM; Thence N89°57'07"W a distance of 1524.86', more or less, to the point of beginning
PROPOSED LEGAL DESCRIPTION	Lots 6 thru 8 of Block 2 of I-90 Heartland Business Park and dedicated public right-of-way shown as Rearden Court all located in the SE $\frac{1}{4}$ of Section 21, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.301 acres
LOCATION	West of Elk Vale Road and north of Seger Drive
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Light Industrial District
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/25/2008

STAFF REPORT
May 22, 2008

No. 08PL064 - Preliminary Plat

ITEM 34

REVIEWED BY

Travis Tegethoff / Ted Johnson

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by City Council, the entire parcel shall be annexed into the City of Rapid City limits;
2. Prior to Preliminary Plat approval by City Council, all redline comments made on the construction plans shall be addressed and resubmitted for review and approval. In addition, the red lined drawings shall be returned to the Growth Management Department;
3. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
4. 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;
5. 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 be paid as required;
6. Prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

GENERAL COMMENTS: The applicant has submitted a Preliminary Plat to create three lots ranging in size from 2.1 acres to 7.7 acres and leaving the remaining portion of the property as an unplatted balance.

The property is located west of Elk Vale Road and north of Seger Drive at the northern terminus of Rearden Court. The property is currently void of structural development.

STAFF REVIEW:

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

Annexation: In May of 1983, the City Council approved a resolution requiring all properties that are contiguous to Rapid City which are being platted to be annexed into the city limits of Rapid City prior to Preliminary Plat approval. The current City limits of Rapid City are located along the south boundary of the property. As such, staff is recommending that the entire parcel be annexed as a part of the Preliminary Plat review and approval.

Under Section 17.26.020 of the Rapid City Municipal Code, all newly annexed properties are zoned "No Use" until a study of the appropriate zoning for the affected properties is completed. The City's Future Land Use Plan identifies the appropriate land use for the property as Light Industrial. Prior to issuance of a building permit or within 120 days of the date of annexation, whichever occurs first, the property must be rezoned accordingly.

Reardon Court: The applicant is proposing to construct a cul-de-sac at the north end of Reardon Court to serve the proposed lots. The right-of-way of the cul-de-sac is proposed to be 118 feet in diameter and constructed with pavement, curb, gutter, street light conduit, water and sewer. Staff has made redline comments to the construction plans. As such,

STAFF REPORT
May 22, 2008

No. 08PL064 - Preliminary Plat

ITEM 34

staff is recommending that prior to Preliminary Plat approval by City Council, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department.

Sewer: Sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines have been submitted for review and approval. Staff has made redline comments to the construction plans. As such, staff is recommending that prior to Preliminary Plat approval by City Council, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department.

Water: Water plans prepared by a Registered Professional Engineer showing the extension of water mains and service lines have been submitted for review and approval. Staff has made redline comments to the construction plans. As such, staff is recommending that prior to Preliminary Plat approval by City Council, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department.

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 Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

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.