

STAFF REPORT
October 23, 2008

No. 08PL130 - Preliminary Plat

ITEM 24

GENERAL INFORMATION:

APPLICANT	Steve Wynia
AGENT	Britton Engineering & Land Surveying, Inc.
PROPERTY OWNER	Eagles Lodge
REQUEST	No. 08PL130 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 9 and 10 of Cambell Square Addition, located in Government Lot 4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 9R and 10R of Cambell Square Addition, located in Government Lot 4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.188 acres
LOCATION	1410 Centre Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District - Light Industrial District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/12/2008
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

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

- 1. Prior to City Council approval of a Preliminary Plat application, road construction plans showing the two feet of additional pavement, curb, gutter, street light conduit, sidewalk, water and sewer be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained;**
- 2. Prior to Preliminary Plat approval by City Council, a cost estimate for any required subdivision improvements shall be submitted for review and approval;**

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3. Prior to submittal of a Final Plat application the applicant must record a miscellaneous document with the Pennington County Register of Deeds office for the off-site drainage easement;
4. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees shall be paid as required;
5. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
6. 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:

(Update: October 14, 2008. All revised and/or added text is shown in bold). This item was continued to the October 23, 2008 Planning Commission meeting to allow the applicant to submit the required information. On October 10, 2008 the applicant submitted additional information for review and approval. As such, staff would recommend that the Preliminary Plat application be approved with the above stated stipulations.

The applicant has submitted a Preliminary Plat to reconfigure two existing lots to create a 0.81 acre lot and a 1.38 acre lot. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#08SV046) to reduce the pavement width from 26 feet to 24 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Centre Street as per Chapter 16.16 of the Rapid City Municipal Code. The property is located north of Centre Street between Cambell Street and Creek Drive. Currently a commercial structure and a parking lot are located on the property.

On January 15, 2007 City Council denied without prejudice a Layout Plat (#06PL123) for the property at the applicant's request.

On July 7, 2008 City Council approved a Layout Plat (#08PL081) for the property with the following stipulations:

1. Upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary;
2. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
3. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;

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4. Upon submittal of a Preliminary Plat application, road construction plans for Centre Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
5. Upon submittal of a Preliminary Plat application, 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;
6. Upon submittal of a Preliminary Plat application, a cost estimate for the subdivision improvements shall be submitted for review and approval;
7. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees shall be paid as required;
8. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
9. The approved Layout 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.

STAFF REVIEW:

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

Drainage and Utility Easements: Section 16.12.200 of the Rapid City Municipal Code requires that easements for utilities and drainage shall be provided where necessary. To date, the applicant has not submitted utility and drainage information demonstrating where the necessary drainage and utility easements need to be provided. As such, staff recommends that this item be continued to allow the applicant to submit the required information.

On October 10, 2008 the applicant submitted a drainage report demonstrating where the necessary drainage and utility easements need to be provided. The applicant also submitted a miscellaneous document providing a drainage easement on the adjacent property to the west. Staff recommends that prior to submittal of a Final Plat application the applicant must record a miscellaneous document with the Pennington County Register of Deeds office for the off-site drainage easement.

Sewer: The applicant has submitted a site plan prepared by a Registered Professional Engineer showing that sanitary sewer mains and service lines are currently constructed along Centre Street to serve the property as required per Chapter 16 of the Rapid City Municipal Code.

Water: The applicant has submitted a site plan prepared by a Registered Professional Engineer showing that water mains and service lines are currently constructed along Centre Street to serve the property as required per Chapter 16 of the Rapid City Municipal Code.

Centre Street: Centre Street is located along the south lot line of the subject property and is classified as an industrial street on the City's Major Street Plan 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, street light conduit, sidewalk, water and sewer. Currently,

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Centre Street is shown with a 66 foot wide right-of-way and has an approximate 24 foot wide paved surface. As previously noted the applicant has submitted Variance to the Subdivision Regulations (#08SV046) to reduce the pavement width from 26 feet to 24 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Centre Street as per Chapter 16.16 of the Rapid City Municipal Code. As such, staff is recommending that prior to City Council approval of a Preliminary Plat application, road construction plans showing the two feet of additional pavement, curb, gutter, street light conduit, sidewalk, water and sewer be submitted for review and approval as identified 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. Staff is recommending that prior to Planning Commission approval of a Preliminary Plat application, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

On October 10, 2008 the applicant submitted an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual.

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.