

STAFF REPORT
April 23, 2009

No. 09PL017 - Preliminary Plat

ITEM 10

GENERAL INFORMATION:

APPLICANT	Action Development, Inc.
AGENT	Lawrence M. Kostaneski for Centerline, Inc.
PROPERTY OWNER	Action Development, Inc.
REQUEST	No. 09PL017 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Tract 1 of Century 21 Subdivision, located in the NW1/4, Section 32, T2N R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 2 thru 7, 9, and 10 of Anamosa Crossing Subdivision, located in the NW1/4, Section 32, T2N R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 67.0 acres
LOCATION	Northwest of the intersection of East North Street and East Anamosa Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District - General Agriculture District
South:	General Commercial District - Planned Commercial Development
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/26/2009
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, construction plans for E. North Street shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with sewer and sidewalk or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, construction plans for the existing

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Century Road right-of-way located along the west lot line of the property shall be submitted for review and approval. In particular, the construction plans shall show the street 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;

3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show non-access easements as per the Street Design Criteria Manual or an Exception shall be obtained;
4. Prior to submittal of a Final Plat application, a Final Plat for Phase One of the development shall be approved or this plat document shall be revised to include the internal street rights-of-way for Century Road and Lando Lane;
5. Prior to submittal of a Final Plat application, the existing Century Road right-of-way located along the east lot line shall be renamed and the plat document shall be revised to show the approved street name;
6. Prior to submittal of a Final Plat application, the plat document shall be revised to show "Anamosa Street" as "E. Anamosa Street";
7. 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;
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 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 subdivide the property into eight lots leaving a non-transferable balance. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #09SV011) to waive the requirement to install sidewalk, water and sewer along E. North Street and to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the existing Century Road right-of-way located along the east lot line of the property.

On June 2, 2008, the City Council approved a Preliminary Plat (File #08PL050) for Phase One of Anamosa Crossing creating two lots and dedicating the right-of-way for two streets extending through the development. To date, a Final Plat for Phase One has not been submitted for review and approval. This Preliminary Plat application is for Phase Two of Anamosa Crossing and consists of eight lots located along the proposed internal streets extending through the development.

The property is located northwest of the intersection of East North Street and East Anamosa Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

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E. North Street: E. North Street is located along the east lot line of the property and is classified as a principal arterial street on the City's Major Street Plan requiring that it be located within a 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, E. North Street is located within a 290 foot wide right-of-way and constructed with an approximate 40 foot wide paved surface, curb, gutter, street light conduit and water. To date, sewer and sidewalk have not been constructed along this portion of E. North Street. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans for E. North Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Century Road: Century Road is located along the east lot line of the property and is classified as a commercial street requiring that it be located within a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide right-of-way, curb, gutter, property line sidewalks, street light conduit, water and sewer. Currently, Century Road is located within a 60 foot wide right-of-way and is constructed with an approximate 20 foot wide graveled surface. Staff recommends that prior to Preliminary Plat approval, construction plans for Century Road be submitted for review and approval. In particular, the construction plans must show the street 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 must be obtained.

Street Name: As noted above, an existing 60 foot wide right-of-way for Century Road is currently located along the east lot line of the property. The applicant has submitted a Master Plan which shows the future reconstruction of a portion of the street as it abuts the property. In particular, the Master Plan shows the street as two discontinuous street sections tying into E. Anamosa Street in two separate locations. Upon review, staff concurs that the southern leg of the street should remain Century Road. In order to avoid having two discontinuous streets with one name, the northern leg of the street must be renamed to a different street name. Subsequently, the City will process a street name change for the northern leg of Century Road in conjunction with the Final Plat process. Prior to submittal of a Final Plat application, the plat document must be revised to show the approved street name for the northern leg of Century Road.

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.

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