

STAFF REPORT
August 27, 2009

No. 09PL052 - Preliminary Plat

ITEM 14

GENERAL INFORMATION:

APPLICANT/AGENT	PLM Land Development, LLC
PROPERTY OWNER	PLM Land Development, LLC
REQUEST	No. 09PL052 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Balance of Lot 13, Block 2, PLM Subdivision located in NE1/4 NW1/4, Section 24, T1N, R7E, B.H.M., Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 13B, Block 2, PLM Subdivision located in NE1/4 NW1/4, Section 24, T1N, R7E, B.H.M., Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.1633 acres
LOCATION	Northwest corner of the intersection of Cambria Circle and Enchantment Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	8/10/2009
REVIEWED BY	Marcia Elkins / Mary Bosworth

RECOMMENDATION:

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

1. Upon submission of a Final Plat application, Enchantment Road shall have been constructed to the northern boundary of proposed Lot 13B, inspected and accepted by the City of Rapid City, or surety shall be posted for any improvements not completed and accepted;
2. Upon submission of a Final Plat application, minor redline changes to the approved plans must be submitted or revised as-built plans submitted for review and approval;
3. Prior to Planning Commission approval of the Preliminary Plat application, cost estimates for the subdivision improvements must be submitted for review and approval;
4. Upon submission of a Final Plat application, subdivision inspection fees shall be paid to

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- the City of Rapid City in accordance with the provisions of the Rapid City Municipal Code;
5. Upon submission of a Final Plat application, copies of recorded easements for any storm drainage improvements located on the adjacent property shall be submitted for review and approval;
 6. Upon submission of a Final Plat application, non-access easements shall be identified along the eastern boundary of proposed Lot 13B and along the east fifty feet of the southern boundary of proposed Lot 13B in accordance with the previously recorded easements;
 7. Upon submission of a Final Plat application, the plat shall be revised to reflect the correct legal description, remove the drawing of Lot 13A, remove the building envelope and include the correct certificates for a Final Plat;
 8. Prior to the City's acceptance of the public improvements, 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 application to plat a 0.1633 acre parcel as one lot. The property is located at the northwest corner of Cambria Circle and Enchantment Road, generally west of 5th Street and south of Minnesota Street.

The property that is proposed to be platted is the non-transferable balance of Lot 13, Block 2, PLM Subdivision that remained following the approval of a Minor Plat creating Lot 13A, Block 2, PLM Subdivision. A subsequent Minor Plat from the same parcel of land may not be approved within 12 months. In addition, the plans for the improvements for Enchantment Road were previously approved as a part of the original plat for Block 2; however the street was not constructed to the northern property boundary. As such, the plat cannot be processed administratively as a Minor Plat.

The applicant has submitted this request for Preliminary Plat approval. A two unit townhouse structure occupies the original Lot 13. The previous Minor Plat allowed the west half of the townhouse structure to be transferred. Approval of this Preliminary Plat application for Lot 13 B and the subsequent Final Plat will allow the eastern half of the townhouse structure to be transferred.

STAFF REVIEW:

Subdivision Improvements: Currently a 12 inch water main is installed on Enchantment Road and an existing 6 inch water main is installed on Cambria Circle. In addition, existing 8 inch sewer mains are installed on Enchantment Road and Cambria Circle. However, Enchantment Road including the curb, gutter and asphalt pavement has not been completed for approximately 30 feet at the north end as it abuts proposed Lot 13B. The applicant is proposing to construct the remaining 30 feet of road. Minor red-line changes to the approved plans must be submitted or revised as-built plans submitted in conjunction with the Final Plat application. In addition cost estimates for the remaining subdivision

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improvements must be submitted for review and approval prior to Planning Commission approval. All improvements must be completed, inspected and accepted prior to submission of the Final Plat application or surety for the improvements that have not been completed must be submitted for review and approval in conjunction with the Final Plat application. In addition, subdivision inspection fees shall be paid to the City to cover the costs of inspection of the subdivision improvements as required by the Rapid City Municipal Code. Such fees shall be paid upon submittal of the Final Plat application.

Drainage Easements: Drainage improvements were to be constructed as part of the previous subdivision improvements. Those improvements appear to extend north onto the adjacent property. Upon Final Plat application, copies of the recorded easements for any storm drainage improvements located on the adjacent property shall be submitted.

Non-Access Easements: The previously recorded non-access easements along the entire Enchantment Road frontage and along the east fifty feet of the southern boundary of proposed Lot 13B shall be identified on the Final Plat document.

Final Plat Document and Certificates: Upon submittal of the Final Plat application, Lot 13A shall be identified as an adjacent lot, the reference to Lot 13A shall be removed from the title, the description shall reference the balance of Lot 13 and the building footprint shall be removed from Lot 13B. In addition, the correct certificates for a Final Plat shall be identified on the document in accordance with the applicable provisions of the Rapid City Municipal Code.

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, warranty surety be submitted for review and approval in accordance with the adopted resolution.

The proposed plat generally complies with all applicable Subdivision Regulations assuming compliance with the recommended stipulations of approval listed above.