

STAFF REPORT
October 21, 2010

No. 10PL064 - Preliminary Plat

ITEM 23

GENERAL INFORMATION:

APPLICANT	Century Resources, Inc.
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Century Resources, Inc.
REQUEST	No. 10PL064 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of the NW1/4 of the SW1/4 and a portion of the NE1/4 of the SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 2 through 7 of Vista Ridge Subdivision and Lot 6 of Block 1 of Menard Subdivision located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 11.009 acres
LOCATION	Southeast of E. North Street between Century Road and E. Anamosa Street
EXISTING ZONING	General Commercial District and General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District and General Agriculture District
East:	General Commercial District and General Commercial District (Planned Commercial Development)
West:	General Commercial District and General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/27/2010
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, all necessary changes shall**

- be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to Preliminary Plat approval by the City Council, construction plans for North Creek Drive shall be submitted for review and approval showing the street located within a minimum 100 foot wide right-of-way and constructed with a sewer main along the entire street and a sidewalk along the west side of the street or a Variance to the Subdivision Regulations shall be obtained;
 3. Prior to Preliminary Plat approval by the City Council, construction plans for Century Road shall be submitted for review and approval showing the construction of a sewer main along the entire street or a Variance to the Subdivision Regulations shall be obtained;
 4. Prior to Preliminary Plat approval by the City Council, the 30 foot wide sanitary sewer easement and the 10 foot wide utility, parking and access easement located outside the boundaries of the Preliminary Plat shall be recorded at the Register of Deed's Office as miscellaneous document(s) or the plat document shall be revised to include these areas within the boundaries of the Preliminary Plat;
 5. Prior to Preliminary Plat approval by the City Council, Lot 3 less Lot H1 located in Section 32, T2N, R8E shall be under different ownership than Vantage Properties, LLC or Century Resources, Inc. or a revised Master Plan shall be submitted for review and approval which includes Lot 3. In addition, the Master Plan shall identify an alternate access to Lot 3, eliminating the approach directly onto E. North Street;
 6. Prior to Preliminary Plat approval by the City Council, a cost estimate of 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 the subdivision inspection fees shall be paid;
 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:

(Update: October 12, 2010. All revised and/or added text is shown in bold print.) This item was continued at the October 7, 2010 Planning Commission meeting to allow the applicant to submit additional information. The applicant has, subsequently, submitted a revised Master Plan, a drainage plan, geotechnical information, a water system and water usage analysis, a sanitary sewer analysis and a stormwater management plan.

(Update: September 24, 2010. All revised and/or added text is shown in bold print.) This item was continued at the September 23, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. As of this writing, all of the additional information has not been submitted for review and approval. As such, staff

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recommends that the Preliminary Plat be continued to the October 21, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

The applicant has submitted a Preliminary Plat to create seven lots leaving an unplatted non-transferable balance. The lots range in size from 1.133 acres to 2.504 acres and are to be known as Lots 2 through 7 of Vista Ridge Subdivision and Lot 6 of Menard Subdivision. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #10SV017) to waive the requirement to install sewer and sidewalk along East North Street, to install sidewalk along the west side of North Creek Drive, to install sewer along North Creek Drive and Century Road and to waive the requirement to dedicate 20 additional feet of right-of-way along North Creek Drive.

On September 7, 2010, the City Council approved a Preliminary Plat (File #10PL042) to create Lot 5 of Menard Subdivision which is located east of this proposed plat.

On September 9, 2010, the Planning Commission recommended approval of a Vacation of Right-of-way application (File #10VR006) to vacate a portion of the alley located along the north lot line of proposed Lot 2. City Council will consider the request at their October 4, 2010 City Council meeting.

The property is located southeast of E. North Street between Century Road and E. Anamosa Street. The Horseshoe Bar and a sign are located on proposed Lot 2. The balance of the property is currently void of any structural development.

STAFF REVIEW:

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

Drainage: To date, a drainage plan has not been submitted for review and approval. In particular, the drainage plan must address on and off-site stormwater drainage, detention and existing or proposed improvements to the stormwater management area, dam and metering structure. The significant increase in impermeable area as indicated on the applicant's Master Plan may require substantial stormwater drainage infrastructure improvements. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit a drainage report for review and approval as required.

(Update: October 12, 2010.) The applicant has submitted a drainage plan. Staff has reviewed and accepted the plan.

Utilities: A water system and water usage analysis including domestic and fire flows must be submitted for review and approval. In addition, sanitary sewer analysis including estimated flows and system capacity must be submitted for review and approval. Without this information, it cannot be determined if the existing water supply and downstream sewer capacity are adequate to serve the proposed development. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit the utility information as identified.

(Update: October 12, 2010.) The applicant has submitted a water system and water usage analysis and a sanitary sewer analysis demonstrating that the existing water

supply and downstream sewer capacity are adequate to serve the proposed development.

Master Plan: The applicant's Master Plan identifies the balance of Lot 3 of the NW1/4 SW1/4 located directly north of proposed Lot 2 as an unplatted non-transferable balance. The Master Plan also identifies access to the balance of Lot 3 from the existing service road located within E. North Street right-of-way. However, a different Master Plan was approved as a part of the Preliminary Plat to create Lot 5 of Menard Subdivision which identified the balance of Lot 3 incorporated into proposed Lot 2 of Vista Ridge Subdivision and the elimination of the service road. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to revise the Master Plan and, if necessary, the plat document in order to provide an alternate access to the balance of Lot 3 pursuant to the previously approved Master Plan. In particular, it may require that access be granted across one of the proposed lots as shown on this plat document or that Lot 3 be incorporated into one of the proposed lots to insure access to this area of the property.

(Update: October 12, 2010.) The applicant has submitted a revised Master Plan eliminating Lot 3 less Lot H1. In addition, the applicant has indicated that Lot 3 less Lot H1 will be sold. Once the lot is no longer under the same ownership as the property currently being platted, which is owned by Vantage Properties, LLC and Century Resources, Inc., the applicant's Master Plan no longer is required to include this area. However, as of this writing, Lot 3 less Lot H1 is owned by Vantage Properties, LLC.

Staff recommends that prior to Preliminary Plat approval by the City Council, Lot 3 less Lot H1 be under different ownership than Vantage Properties, LLC or Century Resources, Inc. or a revised Master Plan must be submitted for review and approval which includes Lot 3. The Master Plan must identify an alternate access to Lot 3, eliminating the approach directly onto E. North Street.

North Creek Drive: The Preliminary Plat identifies the extension of North Creek Drive from E. Anamosa Street to the south lot line of the property. North Creek Drive is classified as a minor arterial street on the City's Major Street Plan requiring that it be located within a minimum 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. The construction plans identify North Creek Drive located within an 80 foot wide right-of-way and constructed with a 48 foot wide paved surface, curb, gutter, sidewalk along the east side of the street, street light conduit, sewer along a portion of the street and water. Prior to Preliminary Plat approval by the City Council, the plat document must be revised to show the dedication of 20 additional feet of right-of-way along North Creek Drive, a sewer main along the entire street and a sidewalk along the west side of the street or a Variance to the Subdivision Regulations must be obtained.

Century Road: The Preliminary Plat identifies Century Road extending south from East North Street to serve as access to five of the proposed lots. Century Road is classified as a commercial street requiring that it be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The construction plans show the street being constructed in

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compliance with City Design Standards with the exception of sewer along a portion of the street. As such, staff recommends that prior to Preliminary Plat approval by the City Council, construction plans for Century Road be submitted for review and approval showing sewer along the entire street or a Variance to the Subdivision Regulations must be obtained.

The Major Street Plan identifies Century Road as a looped collector street extending north from E. North Street, west through the Anamosa Crossing Subdivision and south along the east side of the Menards' property. As previously indicated the Preliminary Plat also identifies Century Road extending south through this property connecting with North Creek Drive. Staff has noted that the looped street design as proposed creates addressing issues. Staff is currently reviewing the street name issue and will notify the Planning Commission at the September 23, 2010 Planning Commission meeting if this leg of the street should be named differently to resolve the issue.

Alley Vacation: As previously noted, on September 9, 2010, the Planning Commission recommended approval of a Vacation of Right-of-way application (File #10VR006) to vacate a portion of the alley located along the north lot line of proposed Lot 2. City Council will consider the request at their October 4, 2010 City Council meeting. Prior to submittal of a Final Plat application, the plat document must be revised to show the book and page of the recorded vacation instrument as filed at the Register of Deed's Office.

(Update: October 12, 2010.) On October 4, 2010, the City Council approved a Vacation of Right-of-way application to vacate a portion of the alley located along the north lot line of proposed Lot 2. In addition, the plat document has been revised to show the vacated alley.

Geotechnical Report: A geotechnical report including pavement design must be submitted for review and approval. In addition, the geotechnical report must include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information must be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections must be provided as needed for buried water system metal fixtures.

(Update: October 12, 2010.) The applicant has submitted a geotechnical determination for the pavement design. Staff has reviewed and approved the information.

Zoning: The property is currently General Commercial District and General Agriculture District. The Future Land Use Plan identifies the appropriate use of the property as General Commercial along the northern and western portions, General Commercial with a Planned Commercial Development along the eastern portion and Light Industrial with a Planned Industrial Development and drainage along the south and southwestern portions of the property. The applicant should be aware that any future development of the site must be in compliance with the adopted zoning and the Future Land Use Plan for the property.

Stormwater Management Plan: The City Council 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 recommends that

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prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

(Update: October 12, 2010.) The applicant has submitted an Erosion and Sediment Control Plan 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 must 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 recommends 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 recommends 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.