

STAFF REPORT
May 26, 2011

No. 11PL026 - Preliminary Plat

ITEM 9

GENERAL INFORMATION:

APPLICANT	Mark E. Avkamp - SBC Archway VII LLC
PROPERTY OWNER	SBC Archway VII LLC
REQUEST	No. 11PL026 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 1, 2, 3 and 4 of Block 2 of Commerce Park Subdivision located in Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1R and Lot 4R of Block 2 of Commerce Park Subdivision
PARCEL ACREAGE	Approximately 4.1 acres
LOCATION	2320, 2340 and 2350 Sophia Court
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District (Planned Industrial Development)
West:	Light Industrial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	4/29/2011
REVIEWED BY	Vicki L. Fisher / Brandon Quiett

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 showing the extension of a sewer main along Fountain Plaza Drive shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, the construction plans shall show a property line sidewalk in lieu of a curb side sidewalk along Sophia Court or an Exception shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;

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4. Prior to Preliminary Plat approval by the City Council, construction plans shall be submitted for review and approval showing the abandonment of the culvert under Sophia Court as shown on the applicant's plans or the applicant shall demonstrate a need for the culvert;
5. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
6. Prior to submittal of a Final Plat application, all of the affected utility companies shall indicate concurrence with the proposed vacation of minor drainage and utility easement(s) or the plat document shall be revised to show the existing easement(s);
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 replat four lots into two lots. The lots are to be known as Lot 1R and Lot 4R of Block 2, Commerce Park Subdivision. In addition, the applicant has submitted a Conditional Use Permit (File #11UR012) to allow the construction of a 28,900 square foot community corrections facility to house Immigration and Customs Enforcement (ICE) detainees for the United States Department of Homeland Security on proposed Lot 1R. The applicant has also submitted a Fence Height Exception (File #11FV004) to allow a 9.5 foot high fence in lieu of a maximum 8 foot high fence in the Light Industrial District and to allow a 9.5 foot high fence in lieu of a maximum 4' high fence in the 25 foot front yard setback along a portion of the community corrections facility.

The property is located in the northeast corner of Sophia Court and Fountain Plaza Drive. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Fountain Plaza Drive: Fountain Plaza Drive is located along the west lot line of the property and is classified as an industrial street requiring that it be located within 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. Fountain Plaza Drive is currently constructed to industrial street standards with the exception of a sewer main. As such, prior to Preliminary Plat approval by the City Council, construction plans showing the extension of a sewer main along Fountain Plaza Drive must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Sophia Court: Sophia Court is located along the south lot line of the property and is classified as an industrial street requiring that it be located within a minimum 59 foot wide right-of-way

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and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Sophia Court is currently constructed to industrial street standards with the exception of a sidewalk. The applicant has submitted construction plans showing the construction of curb side sidewalk, however, a property line sidewalk is required along an industrial street. As such, prior to Preliminary Plat approval by the City Council, the construction plans must be revised to show a property line sidewalk in lieu of a curb side sidewalk or an Exception must be obtained.

Culvert: It appears that the culvert currently existing under Sophia Court is no longer needed due to the proposed replat and use of the property. As such, prior to Preliminary Plat approval by the City Council, construction plans must be submitted for review and approval showing the abandonment of the culvert under Sophia Court as shown on the applicant's plans or the applicant must demonstrate a need for the culvert.

Vacation of Easement(s): The Preliminary Plat identifies the vacation of the previously dedicated 8 foot wide minor drainage and utility easements located along the common lot lines between Lots 1 through 4. To date, all of the affected utility companies have indicated concurrence with the request with the exception of SDN Communications and Black Hills Power. As such, staff recommends that prior to submittal of a Final Plat application, the applicant must submit written documentation showing that all of the affected utility companies concur with the proposed vacation of minor drainage and utility easement(s) or the plat document must be revised to show the existing easement(s).

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 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 if any subdivision improvements are required.

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. Upon submittal of a Final Plat application, surety must be posted and subdivision inspection fees must 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. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

The proposed plat generally complies with all applicable Zoning and Subdivision

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Regulations assuming compliance with the stated stipulations.