

STAFF REPORT
February 23, 2012

No. 12PL004 - Preliminary Plat

ITEM 5

GENERAL INFORMATION:

| | |
|-------------------------------|---|
| APPLICANT | Phil Olsen - Olsen Development Company, Inc. |
| AGENT | Lawrence M. Kostaneski, PE - Centerline, Inc. |
| PROPERTY OWNER | Olsen Development Company, Inc. |
| REQUEST | No. 12PL004 - Preliminary Plat |
| EXISTING LEGAL DESCRIPTION | The south 495 feet of the NE1/4 SE1/4 and the SE1/4 SE1/4 less Lot 1 of Bendert Subdivision and less right-of-way all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lots 1 and 2 of Skyline Village Subdivision and Tracts A and B of Canyon Pines Subdivision |
| PARCEL ACREAGE | Approximately 54 acres |
| LOCATION | At the current western terminus of Promise Road |
| EXISTING ZONING | Office Commercial District (Planned Unit Development - Planned Development Designation) |
| SURROUNDING ZONING | |
| North: | Park Forest District (Planned Residential Development) |
| South: | General Agriculture District |
| East: | General Commercial District (Planned Commercial Development) - Office Commercial District (Planned Development Designation) - Public District - Business Park District |
| West: | Low Density Residential District (Planned Residential Development) - General Agriculture District - Public District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 1/27/2012 |
| REVIEWED BY | Vicki L. Fisher / Nicole Lecy |

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

STAFF REPORT
February 23, 2012

No. 12PL004 - Preliminary Plat

ITEM 5

- made to the construction plans and plat as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Community Planning and Development Services Department;
2. Prior to Preliminary Plat approval by the City Council, construction plans for Vineyard Lane shall be submitted for review and approval. In particular, the construction plans shall show the installation of a sidewalk along the north side of Vineyard Lane and a sewer main or a Variance to the Subdivision Regulations shall be obtained;
 3. Prior to Preliminary Plat approval by the City Council, construction plans for the remaining section line highway(s) shall be submitted for review and approval. In particular, the construction plans shall show the section line highways located within a minimum 59 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated. The adjacent property owner(s) shall sign the petition(s) to vacate the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way;
 4. Prior to Preliminary Plat approval by the City Council, construction plans for the existing 40 foot wide private access and utility easement shall be submitted for review and approval. In particular, the construction plans shall show the easement with a minimum width of 45 feet and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 5. Prior to Preliminary Plat approval by the City Council, construction plans for the proposed 28 foot wide private access and utility easement shall be submitted for review and approval. In particular, the construction plans shall show the easement with a minimum width of 45 feet and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 6. Prior to Preliminary Plat approval by the City Council, construction plans for the H Lot located along the west lot line shall be submitted for review and approval. In particular, the construction plan shall show the street constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 7. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual for subdivision improvements shall be submitted for review and approval. In addition an Erosion and Sediment Control Permit shall be obtained prior to any construction of the subdivision improvements;
 8. Prior to Preliminary Plat approval by the City Council, a drainage plan for the Promise Road improvements shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as needed;
 9. Prior to Preliminary Plat approval by the City Council, written approval shall be obtained from the City Engineer for the use of a sewer termination riser per Rapid City Standard Detail 9-8 or the plans shall be revised accordingly;
 10. Prior to Preliminary Plat approval by the City Council, an Exhibit shall be submitted for the Sanitary Sewer Easement proposed across Lot 2 of Owen Hibbard Subdivision. In addition, prior to submittal of a Final Plat application, the Sanitary Sewer Easement shall be recorded at the Register of Deed's Office;

STAFF REPORT
February 23, 2012

No. 12PL004 - Preliminary Plat

ITEM 5

11. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show non-access easements in compliance with the Street Design Criteria Manual or an Exception shall be obtained as needed;
12. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to place the proposed lots under one subdivision name or separate plat documents for each of the subdivision names shall be submitted for review and approval as per the Register of Deed's requirements;
13. Prior to Preliminary Plat approval by the City Council, a revised cost estimate shall be submitted for review and approval which includes the cost of grading for the subdivision improvements and addresses the red line comments;
14. 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;
15. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
16. 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 create four lots to be known as Lots 1 and 2 of Skyline Village Subdivision and Tracts A and B of Canyon Pines Subdivision. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #12SV002) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the easement width from 45 feet to 40 feet along the existing 40 foot wide private access and utility easement; to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the easement width from 45 feet to 28 feet along the proposed 28 foot wide private access and utility easement; to waive the requirement to provide curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the section line highway and to dedicate the section line highway as right-of-way; to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the H-Lot; and to waive the requirement to provide sewer and a sidewalk along the north side of Vineyard Lane.

On November 6, 2006, the City Council approved a Layout Plat (File #06PL160) for the Skyline Village development to create 67 townhome lots and six larger lots. On October 6, 2008, the City Council approved a one year extension of the approval for the Layout Plat.

On January 22, 2009, the Planning Commission approved an Initial Planned Unit Development (File #08PD067) to allow the construction of 46 townhome units and two single family residences as a part of Phase One and all of Phase Two of Skyline Village.

On January 22, 2009, the Planning Commission also approved a SDCL 11-6-19 Review (File #09SR001) to authorize the acquisition of a public utility easement for the future construction of a sewer main across the adjacent City owned property to serve the development.

STAFF REPORT
February 23, 2012

No. 12PL004 - Preliminary Plat

ITEM 5

On February 2, 2009, the City Council approved a Variance to the Subdivision Regulations (File #08SV059) as follows:

- 1) to waive the requirement to install sewer along a portion of Vineyard Lane with the stipulation that the applicant sign a waiver of right to protest any future assessments for the improvement;
- 2) to waive the requirement to install sidewalk along the north side of Vineyard Lane with the stipulation that a pedestrian access connection be provided between the proposed townhome development and the sidewalk along the south side of Vineyard Lane and that the applicant sign a waiver of right to protest any future assessments for the improvement;
- 3) to waive the requirement to dedicate the section line highway as right-of-way located along the east lot line as it abuts Tract B of Tract 1 of W1/2SW1/4 less IGT Subdivision and less right-of-way located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along this portion of the section line highway with the stipulation that the west half of the section line highway be dedicated as right-of-way and that the applicant sign a waiver of right to protest any future assessments for the improvements; and,
- 4) to waive the requirement to dedicate the section line highway as right-of-way located along the south lot line and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the section line highway with the stipulation that the north half of the section line highway be dedicated as right-of-way and that the applicant sign a waiver of right to protest any future assessments for the improvements.

On February 20, 2009, the City Council approved a Vacation of Section Line Highway request (File #09VR002) to vacate three feet of section line highway located along the west side of Promise Road. In addition, the City Council approved a Vacation of Section Line Highway request (File #09VR003) to vacate approximately 295 of the section line highway located along the east lot line, approximate 450 feet north of Promise Road. The City Council also approved a Vacation of Section Line request (File #09VR004) to vacate approximately 430 feet of section line highway located along the south lot line between Sections 22 and 27.

On September 21, 2009, the City Council approved a Preliminary Plat (09PL018) to subdivide a portion of the property into 51 lots, leaving an unplatted non-transferable balance. In addition, the City Council approved a Variance to the Subdivision Regulations (File #09SV010) to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer within the H Lot located along the west lot line of the property.

The property is located at the western terminus of Promise Road. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Zoning: The property is currently zoned Office Commercial District with a Planned Unit

STAFF REPORT
February 23, 2012

No. 12PL004 - Preliminary Plat

ITEM 5

Development Designation. The applicant should be aware that prior to issuance of a Building Permit, an Initial and Final Planned Unit Development must be approved. As a part of the Planned Unit Development, utility and pedestrian corridors must be identified as well as on-site drainage, grading and erosion and sediment control. In addition, access must be secured as needed to ensure that no more than 40 dwelling units have one point of access.

Vineyard Lane: The Preliminary Plat identifies Vineyard Lane extending through the property. Vineyard Lane is classified as a collector street requiring that it be located within a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. The applicant has submitted construction plans showing Vineyard Lane being constructed in compliance with collector street standards with the exception of a sidewalk along the north side of the street and a sewer main. As such, prior to Preliminary Plat approval by the City Council, construction plans for Vineyard Lane showing the installation of a sidewalk along the north side of the street and a sewer main must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: As previously noted, portions of the section line highways located along the east property line and the south property line have been vacated. The remaining section line highway(s) located along these two lot lines are classified as sub-collector streets requiring that they be located within a minimum 59 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff recommends that prior to Preliminary Plat approval by the City Council, construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained or the section line highway must be vacated. The adjacent property owner(s) must sign the petition(s) to vacate the remaining section line highway(s) or a Variance to the Subdivision Regulations must be obtained to allow half a right-of-way.

H Lot: A previously platted H Lot is located along the west lot line of the property. Catron Boulevard, a principal arterial street, currently extends through the western portion of the H Lot. Chapter 16.12.030.E of the Subdivision Regulations states that subdivisions which abut, or include within the proposed area to be subdivided, any highway or arterial street, a marginal access street shall be provided. The marginal access street is classified as a lane place street requiring that it be constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer as per the Street Design Criteria Manual. Staff recommends that prior to Preliminary Plat approval by the City Council, construction plans for the marginal access street within the H Lot be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Existing 40 foot wide Private Access and Utility Easement: An existing 40 foot wide private access and utility easement extends from Promise Road through a portion of proposed Lots 1 and 2. The easement is classified as a lane place street requiring that it be a minimum 45 feet in width and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff recommends that prior to Preliminary Plat approval by the City Council, construction plans for the easement be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

STAFF REPORT
February 23, 2012

No. 12PL004 - Preliminary Plat

ITEM 5

Proposed 28 foot wide Private Access and Utility Easement: The plat document identifies a proposed 28 foot wide private access and utility easement extending north from Promise Road along the common lot line of proposed Lots 1 and 2. The easement is classified as a lane place street requiring that it be a minimum 45 feet in width and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff recommends that prior to Preliminary Plat approval by the City Council, construction plans for the easement be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Sewer/Water: The applicant has submitted construction plans showing the installation of water and sewer mains to serve the proposed development. The plans show the use of a sewer termination riser and show the extension of a sanitary sewer main across Lot 2 of Owen Hibbard Subdivision. Staff recommends that prior to Preliminary Plat approval by the City Council, written approval be obtained from the City Engineer for the use of a sewer termination riser per Rapid City Standard Detail 9-8 or the plans must be revised accordingly. In addition, an Exhibit must be submitted for the Sanitary Sewer Easement proposed across Lot 2 of Owen Hibbard Subdivision and, prior to submittal of a Final Plat application, the Sanitary Sewer Easement must be recorded at the Register of Deed's Office.

The applicant should be aware that future development of the site will require confirmation that the fire flow analysis modeling is compatible with the proposed development and that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity.

Drainage: To date, drainage information for Promise Road has not been submitted for review and approval. As such, prior to Preliminary Plat approval by the City Council, a drainage plan for the Promise Road improvements must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as needed.

Register of Deed's Office: The Pennington County Register of Deed's Office has indicated that the plat document must be revised to place the proposed lots under one subdivision name or separate plat documents for each of the subdivision names must be submitted for review and approval. Staff recommends that prior to Preliminary Plat approval by the City Council, the plat document be revised as required by the Register of Deed's Office.

Summary: Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.