

STAFF REPORT
July 26, 2007

No. 07PL081 - Preliminary Plat

ITEM 52

GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for Action Development, Inc.
REQUEST	No. 07PL081 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Tract 1 of Century 21 Subdivision, located in the NW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Anamosa Crossing Subdivision, located in the NW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 67 acres
LOCATION	At the intersection of E. North Street and the proposed E. 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:	Light Industrial District - General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/8/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff will bring forward a recommendation to the Planning Commission at the July 26, 2007 Planning Commission meeting for review and approval if deemed appropriate by the Planning Commission.

GENERAL COMMENTS:

(Update, July 18, 2007. All revised and/or added text is shown in bold print.) This item was continued at the July 5, 2007 Planning Commission meeting to allow the applicant to submit additional information. On July 10, 2007, staff met with the applicant to discuss the outstanding issues. On July 17, 2007, the applicant submitted a revised Preliminary Plat and a revised Master Plan. As of this writing, staff has not had sufficient time to review the documents. However, the applicant has

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requested approval of the Preliminary Plat at the July 26, 2007 Planning Commission meeting. Staff will bring forward a recommendation to the Planning Commission at the Planning Commission meeting for review and approval if deemed appropriate by the Planning Commission.

The applicant has submitted a Preliminary Plat to create a six acre lot leaving an approximate 61 acre balance. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #07SV024) to waive the requirement to install curb, gutter, sidewalk and street light conduit and to reduce the easement width from 59 feet to 35 feet and 26 feet, respectively, along the access easement(s).

On February 20, 2006, the City Council approved a Layout Plat (File #05PL239) of the subject property to create a 34 acre commercial lot, leaving a 31 acre non-transferable balance.

On May 24, 2007, the Planning Commission approved a revised Layout Plat (File #07PL061) of the subject property to create a six acre commercial lot leaving an approximate 61 acre balance as shown on this Preliminary Plat document. The City Council will consider the Layout Plat at their July 2, 2007 City Council meeting. **On July 2, 2007, the City Council approved the Layout Plat (File #07PL061).**

The property is located north and east of the intersection of E. North Street and the E. Anamosa Street right-of-way. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Traffic Analysis: A substantial amount of commercial development has been proposed along Interstate 90 between LaCrosse Street and Elk Vale Road. This proposed development will also create additional traffic onto the roadways within this area. As such, a traffic analysis must be submitted for review and approval to address approach locations, signals, turn lanes, queue lengths etc. for the proposed streets and the adjacent roadways. The potential re-alignment and/or design of the street sections may significantly alter the proposed lot configuration(s). This requirement was noted during the review of the associated Layout Plat; however, to date, the information has not been submitted for review and approval. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to submit a traffic analysis as identified. **To date, a traffic analysis has not been submitted for review and approval.**

Access Easements: The plat document identifies a 26 foot wide common access and utility easement located along the northwest lot line and a 34 foot to 26 foot wide common access and utility easement located along the southeast lot line of proposed Lot 1. The access easements are classified as commercial streets requiring that the easements be a minimum 59 feet wide and that the street be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. A cross section of the common access and utility easement shows the easement width as 48 feet. To date, construction plans for the access easement(s) have not been submitted for review and approval. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to

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submit complete construction plans. In addition, the applicant must clarify the proposed width of the common access and utility easement, 34 feet to 26 feet as shown on the plat document or 48 feet as shown on the cross section. Please note that the access easement(s) must be improved to meet the minimum requirements of a commercial street with a minimum 59 foot width or a Variance to the Subdivision Regulations must be obtained. In addition, a miscellaneous document must be recorded at the Register of Deed's Office dedicating the portion of the common access and utility easement located outside the boundaries of the proposed plat. **During the meeting on July 10, 2007, it was discussed that the plat document could be revised to eliminate the access easements if the Master Plan was revised eliminating the need to provide access easements. The revised Master Plan and Preliminary Plat show the elimination of the access easements. The revised documents have been routed for review and approval. Staff will provide the Planning Commission with staff review of the revised plans at the July 26, 2007 Planning Commission meeting.**

Staff recently reviewed and denied an Exception request to allow the proposed common access and utility easements to serve more than four lots. To date, the applicant has not appealed the decision to City Council for further consideration. As such, the Preliminary Plat must be revised to show the common access and utility easements as right-of-way or the applicant must obtain approval of the Exception request from the City Council. **Since the Preliminary Plat has been revised eliminating the access easements, the Exception to allow an access easement to serve more than four lots is no longer needed.** The applicant should also be aware that an Exception must be obtained to allow curbside sidewalks along a commercial street or property line sidewalks must be provided. **On July 12, 2007, an Exception was approved by staff to allow curbside sidewalks as proposed.**

Master Utility Plan: The applicant has submitted a Master Utility Plan showing the location of City sewer and water. However, to date, a Master Utility Plan, signed by the private utility companies, showing the location of private utilities through the subject property has not been submitted for review and approval. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to submit a complete Master Utility Plan as identified. **During the meeting on July 10, 2007, it was discussed that signatures on the construction sheet from all of the private utilities concurring with the location of the private utilities within the access easement would meet the requirement as identified above. However, eliminating the access easement from the plat has eliminated the need to provide the signed construction sheet.**

Drainage: Additional drainage information must be submitted for review and approval. In particular, a drainage map showing inlet areas, intercepted and by-pass flows to each inlet, the depth and spread at each inlet, etc. must be submitted for review and approval. **To date, this information has not been submitted for review and approval.** In addition, the drainage plan must be revised to provide inlets at the west access point and to provide storm sewer to the west for the Anamosa Street project. **Staff has determined that the inlets at the west access point and to provide storm sewer to the west for the Anamosa Street project are not needed.**

Water: Revised water plans must be submitted for review and approval showing the water

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mains located ten feet inside the right-of-way or justification to construct the water mains five feet inside the right-of-way must be submitted for review and approval. In addition, the plat document must be revised to provide utility easements as needed. Staff is recommending that the Preliminary Plat be continued to allow the applicant to submit revised water plans as identified. **On July 10, 2007, an exception to reduce the distance of the water main inside the right-of-way line from ten feet to five feet was approved. However, the applicant has indicated that the actual location of the water main will be approximately three feet inside the right-of-way line. As such, an exception must be requested to reduce the distance to three feet as proposed or the construction plans must be revised to provide a minimum distance of five feet as approved.**

Sewer: Revised sewer plans must be submitted for review and approval. In particular, the analysis of the downstream sewer capacity should include existing flows and the sewer should be analyzed with the pipe capacity at $\frac{3}{4}$ full. Staff is recommending that the Preliminary Plat be continued to allow the applicant to submit revised sewer plans as identified. **Staff is currently reviewing files and coordinating with the Public Works Department to determine if downstream sewer capacity issues exist. Staff will inform the applicant as soon as the determination is made.**

Oversizing Costs: The applicant has identified potential oversizing costs associated with the construction of 1,300 lineal feet of Anamosa Street, including the costs of acquiring the right-of-way in excess of 100 feet wide. As such, the applicant must submit an application to the Public Works Department to obtain reimbursement for the oversizing costs as identified.

Cost Estimate/Surety: Upon submittal of a Preliminary Plat application, a cost estimate must be submitted for review and approval. To date, a cost estimate has not been submitted. As such, staff is recommending that prior to approval of the Preliminary Plat, a cost estimate of the subdivision improvements must be submitted for review and approval. In addition, upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed must be posted and the subdivision inspection fees must be paid.

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.

As noted above, staff will bring forward a recommendation to the Planning Commission at the July 26, 2007 Planning Commission meeting for review and approval if deemed appropriate by the Planning Commission.