

STAFF REPORT
August 21, 2008

No. 08PL088 - Preliminary Plat

ITEM 16

GENERAL INFORMATION:

APPLICANT	Skyline Pines East, LLP
AGENT	FourFront Design, Inc.
PROPERTY OWNER	Skyline Pines East Land Company, LLC
REQUEST	No. 08PL088 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Remainder of Lot B of the SE1/4 of the SE1/4, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 9 of Skyline Pines East Subdivision located in the remainder of Lot B of the SE1/4 of the SE1/4, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.60 acres
LOCATION	West of U.S. Highway 16 and south of Tower Road
EXISTING ZONING	Office Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation)
South:	Office Commercial District (Planned Development Designation)
East:	General Commercial District
West:	Office Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/30/2008
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, road construction plans for U.S. Highway 16 shall be submitted for review and approval. In particular, the construction

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- plans shall show the installation of curb, gutter, sidewalk, street light conduit and sewer or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the Planning Commission, a drainage plan in compliance with the Meade Hawthorne Drainage Basin Plan and the Drainage Criteria Manual shall be submitted for review and approval. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. The plat document shall also be revised to provide drainage easements as necessary;
 3. Prior to Preliminary Plat approval by the Planning Commission, a Stormwater Management Plan which includes an Erosion and Sediment Control Plan and a Post-construction Stormwater Quality Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
 4. Prior to Preliminary Plat approval by the Planning Commission, a revised Master Plan shall be submitted for review and approval showing access to the proposed unplatted balance located south of the proposed lot. In addition, if access is proposed through this lot, the plat document shall be revised to show a minimum 59 foot wide access easement and construction plans shall be submitted for review and approval showing the access easement constructed with a minimum 26 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, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 6. Prior to submittal of a Final Plat application, the plat document shall be revised to correct grammatical errors on the Certificate of Title sheet. In addition, the plat title shall be revised to read "...Skyline Pines East Subdivision (formerly a portion of Lot B of SE1/4SE1/4, Section 11) located in the SE1/4SE1/4 of Section 11, T1N, R7E of the BHM...". The plat shall also be revised changing the certificate "Resolution by Governing Board" to Certificate of Finance Officer";
 7. Prior to submittal of a Final Plat application, the plat document shall be revised to eliminate the notations identifying abandoned asphalt, edge of pavement and dirt paths. In addition, the plat document shall clearly identify the widths of all of the adjacent rights-of-way;
 8. 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;
 9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 10. 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, August 8, 2008. All revised and/or added text is shown in bold print.) This item was continued at the August 7, 2008 Planning Commission meeting at the applicant's request. Please note that no other part of this staff report has been changed.

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(Update, July 25, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 24, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the August 7, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, July 11, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 10, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the August 7, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, June 27, 2008. All revised and/or added text is shown in bold print.) This item was continued at the June 26, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the information has not been submitted for review and approval. Staff will notify the Planning Commission at the July 10, 2008 Planning Commission meeting if the stipulations of approval have been met.

The applicant has submitted a Preliminary Plat to create a 1.6 acre lot leaving an approximate 56.17 acre unplatted balance. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and water along U.S. Highway 16 as it abuts the property.

On January 22, 2008, the City Council approved a Layout Plat (File #07PL172) to create 12 commercial lots to be known as Skyline Pines East, which included this property.

On April 7, 2008, the City Council approved a Preliminary Plat (File #08PL014) to create eight commercial lots as Phase One of Skyline Pines East.

In 2004, a Tax Increment Financing District was approved by the City Council for the reconstruction of Tower Road and infrastructure improvements. In 2007, the City Council approved revisions to the Tax Increment Financing District (#06TI006) to reallocate the project costs.

The property is located south of Tower Road and west of U.S. Highway 16. Currently, the property is void of any structural development.

STAFF REVIEW:

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

U.S. Highway 16: U.S. Highway 16 is located along the east lot line of the subject property and is classified as a principal arterial street requiring that the street be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer. Currently, U.S. Highway 16 is located within an approximate 300 foot wide right-of-way and constructed with an approximate 98 foot wide paved surface, water and sewer. Staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans providing curb, gutter,

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street light conduit, and sidewalk be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Drainage: A general overall site grading and drainage plan has previously been submitted and reviewed and approved. However, drainage information addressing the proposed subdivision improvements for this parcel must be submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the Planning Commission, a drainage plan in compliance with the Meade Hawthorne Drainage Basin Plan and the Drainage Criteria Manual be submitted for review and approval. In addition, the drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. The plat document must also be revised to provide drainage easements as necessary.

Master Plan: The applicant has submitted a Master Plan of the property showing access to the property located directly south of this lot from U.S. Highway 16. However, the South Dakota Department of Transportation has indicated that access can not be taken from U.S. Highway 16 due to safety concerns along this section of highway. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, a revised Master Plan be submitted for review and approval showing an alternate access to the proposed unplatted balance located south of the proposed lot. In addition, if access is proposed through this lot, the plat document must be revised to show a minimum 59 foot wide access easement and construction plans must be submitted for review and approval showing the access easement constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Stormwater Management Plan: The City Council has 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. The applicant had previously submitted an Erosion and Sediment Control Permit for the adjacent phase of this development but it did not include this proposed lot. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, a Stormwater Management Plan which includes an Erosion and Sediment Control Plan and a Post-construction Stormwater Quality Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval;

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. As such, staff is recommending 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

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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 is recommending 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.