

STAFF REPORT
September 4, 2008

No. 08PL117 - Preliminary Plat

ITEM 38

GENERAL INFORMATION:

APPLICANT Skyline Pines East, LLLP
AGENT FourFront Design, Inc.
PROPERTY OWNER Skyline Pines East, LLLP
REQUEST **No. 08PL117 - Preliminary Plat**

EXISTING
LEGAL DESCRIPTION

A parcel of land being a portion of Lot B of the SW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, South Dakota, more particularly described as follows: Beginning at the southeast corner of lot 18, said corner being on the northerly line of the 60 foot wide tower road right-of-way, said point also being a point of curvature, monumented with a No. 5 rebar with orange plastic cap marked "4front Nelson RLS #9049: thence along the arc of said curve to the right having a radius of 235.00 feet, a central angle of 05°13'04" for a distance of 21.40 feet to a point of tangency; thence along said line of tangency north 44°03'02" west a distance of 73.79 feet to a point of curvature: thence continuing along said northerly right-of-way line along the arc of said curve to the left having a radius of 430.00 feet, a central angle of 39°51'22" for a distance of 299.12 feet; thence departing said northerly right-of-way line along the following 7 courses the termini of which are monumented with a No. 5 rebar with orange plastic cap marked "4front Nelson RLS #9049": North 32°36'48" east a distance of 195.31 feet; North 53°34'09" west a distance of 40.69 feet; North 42°38'52" east a distance of 153.00 feet; South 89°52'02" east a distance of 206.91 feet; South 57°23'12" east a distance of 205.80 feet; South 16°52'40" west a distance of 283.49 feet; North 73°07'20" west a distance of 61.60 feet; Thence south 32°36'48" west a distance of 157.57 feet more or less to the point of beginning, containing an area of 3.8 acres more or less.

PROPOSED
LEGAL DESCRIPTION

Lots 10 thru 18 and 49 feet Right-of-way of Tower Court of Skyline Pines East Subdivision, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

PARCEL ACREAGE

Approximately 3.83 acres

LOCATION

North of Tower Road and east of Sandstone Lane

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EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation)
South:	Office Commercial District (Planned Development Designation)
East:	Low Density Residential II District (Planned Development Designation)
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/8/2008
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, 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, a Master Plan showing the adjacent sanitary sewer and water mains, adjacent stormwater drainage and adjacent street(s) shall be submitted for review and approval. In addition, the plat document shall be revised to show utility and drainage easements as needed. Miscellaneous documents shall also be recorded at the Register of Deed's Office for any off-site sanitary sewer, water and stormwater drainage improvements needed for this phase of the development;
3. Prior to Preliminary Plat approval by the City Council, the construction plans shall be revised to provide adequate drainage and erosion protection for the storm water discharge from the site;
4. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show a non-access easement along the first 50 feet of Tower Court as it extends north from Tower Road or an Exception shall be obtained to reduce the separation between the intersection and a driveway from 50 feet to 48 feet and 45 feet, respectively;
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 title shall be revised to read "Skyline Pines East Subdivision (formerly a portion of Lot B of the SW1/4SE1/4 of Section 11, T1N, R7E) located in SW1/4SE1/4 of Section 11, T1N, R7E, of the B.H.M., Rapid City, Pennington County, South Dakota";
7. Prior to submittal of a Final Plat application, the plat document shall be revised to show a six foot exterior maintenance easement on either side of the common lot line to provide adequate room for maintenance, repair and alterations of the townhomes;
8. Upon submittal of a Final Plat application, surety for any required subdivision

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- 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:

The applicant has submitted a Preliminary Plat to create eight townhome lots and one single family residential lot. In addition, the applicant has submitted an Initial and Final Residential Development Plan (File #08PD045) to construct eight townhomes and one single family residence on the property.

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 north of Tower Road and east of Sandstone Lane. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Master Plan: A Master Plan showing adjacent sanitary sewer and water mains, adjacent stormwater drainage and adjacent street(s) must be submitted for review and approval. Staff is recommending that the Master Plan be submitted for review and approval prior to Preliminary Plat approval by the City Council. In addition, the plat document must be revised to show utility and drainage easements as needed. Miscellaneous documents must also be recorded at the Register of Deed's Office for any off-site sanitary sewer, water and stormwater drainage improvements needed for this phase of the development.

Stormwater Discharge: The construction plans show stormwater being discharged along the common lot line of proposed Lots 14 and 15. Staff is recommending that prior to Preliminary Plat approval by the City Council, the construction plans be revised to provide adequate drainage and erosion protection for the storm water discharge from the site at this location.

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.

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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 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.