

STAFF REPORT
November 19, 2009

No. 09PL070 - Preliminary Plat

ITEM 18

GENERAL INFORMATION:

APPLICANT/AGENT	Terry Stocker
PROPERTY OWNER	Charles & Patricia Mordhorst
REQUEST	No. 09PL070 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The south 40 feet of Lots 15 and 16, the north 25 feet of the south 65 feet of Lots 15 and 16 and the balance of Lots 15 and 16 in Block 113 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot D in Block 113 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.1808 acres
LOCATION	810 Mount Rushmore Road
EXISTING ZONING	Central Business District
SURROUNDING ZONING	
North:	Central Business District
South:	Central Business District
East:	Central Business District
West:	Central Business District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/23/2009
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, an Exception shall be obtained to reduce the separation between the driveway to the proposed lot and the intersection of Mount Rushmore Road and Quincy Street from a minimum 50 feet as per the Street Design Criteria Manual to 35 feet or the plat document shall be revised to comply with the Street Design Criteria Manual;
2. Prior to Preliminary Plat approval by the City Council, construction plans shall be submitted for review and approval showing the installation of a sewer main along Mount

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- Rushmore Road and Quincy Street as they abut the property or a Variance to the Subdivision Regulations 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;
 4. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 5. 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;
 6. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 7. 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 combine three properties into one 0.1808 acre lot. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #09SV022) to waive the requirement to install a sewer main along Mount Rushmore Road and Quincy Street as they abut the property.

The property is located in the southeast corner of the intersection of Mount Rushmore Road and Quincy Street. Currently, an eye care facility known as "Independent Optical" is located on the property.

STAFF REVIEW:

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

Exception: The applicant has submitted an Exception request to reduce the separation between the driveway to the proposed lot and the intersection of Mount Rushmore Road and Quincy Street from 50 feet as per the Street Design Criteria Manual to 35 feet. Prior to Preliminary Plat approval by the City Council, the Exception must be approved or the plat document must be revised to comply with the Street Design Criteria Manual.

Sewer: Currently, a City sewer main extends along the alley as it abuts the south lot line of the property and extends south along Mount Rushmore Road. A separate sewer main is also located along Kansas City Street. The sewer main located in the adjacent alley currently serves the property. To date, a sewer main does not exist along Mount Rushmore Road or Quincy Street as they abut the property.

Chapter 16.16.050 of the Rapid City Municipal Code states that a sewer collection system must be extended along all rights-of-way in accordance with City specifications at the time of platting. As such, staff recommends that prior to Preliminary Plat approval by the City Council, construction plans be submitted for review and approval showing the installation of

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a sewer main along Mount Rushmore Road and Quincy Street as they abut the property or a Variance to the Subdivision Regulations must be obtained.

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. As such, 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 subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

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 must 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 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.

Future Land Use: The applicant has indicated that the property is being replatted in order to expand the existing commercial structure located on the property. The applicant should be aware that future building expansion may require additional fire protection measures as prescribed by the adopted International Fire Codes. The applicant should also be aware that any parking provided in the Central Business District must comply with Parking for Persons with Disabilities as per Chapter 17.50.270 of the Rapid City Municipal Code. These issues must be addressed as a part of the building permit review and approval process.

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.