

STAFF REPORT
December 9, 2010

No. 10PL088 - Preliminary Plat

ITEM 15

GENERAL INFORMATION:

APPLICANT	Lazy P-6 Land Co., Inc.
AGENT	Centerline, Inc.
PROPERTY OWNER	Lazy P-6 Land Co., Inc.
REQUEST	No. 10PL088 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Unplatted Government Lot 1 less Gemstone Subdivision, less Lot H-1 and less right-of-way; Government Lot 2 less North 80 Subdivision, less Lot H2 and less right-of-way, all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 3 of North 80 Subdivision and dedicated public right-of-way, all located in Section 19, T1N, R8E
PARCEL ACREAGE	Approximately 3.711 acres
LOCATION	East of 5th Street at the current eastern terminus of East Stumer Road
EXISTING ZONING	Medium Density Residential District / Office Commercial District / Office Commercial District (Planned Commercial Development) / General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development) / Low Density Residential II District
South:	General Commercial District / Pennington County
East:	General Agriculture District
West:	General Commercial District (Planned Commercial Development) / Office Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	11/12/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

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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, construction plans for Shelby Avenue shall be submitted for review and approval showing the construction of a sewer main along the entire street or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to provide temporary access easements at the terminus of Stumer Road for Phase One and Phase Two. The temporary access easement(s) shall be a minimum 110 feet in diameter;
4. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the book and page of the recorded 50 foot wide Major Drainage Easement located north of Lot 3;
5. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show Stumer Road as "E. Stumer Road";
6. 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;
7. Prior to the City's acceptance of the public improvements, warranty surety shall be submitted for review and approval as required; and,
8. 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 a 1.6968 acre lot and to dedicate right-of-way for E. Stumer Road and Shelby Avenue. The lot is to be known as Lot 3 of North 80 Subdivision. The applicant has also submitted a Variance to the Subdivision Regulations (File #10SV025) to waive the requirement to install sewer along a portion of Shelby Avenue.

On October 5, 2006, the Planning Commission approved a SDCL 11-6-19 Review (File #06SR064) to construct approximately 1,250 feet of Shelby Avenue and approximately 620 feet of Stumer Road. To date, the streets have not been constructed. As such, the applicant has included the dedication of right-of-way and submitted construction plans for these portions of E. Stumer Road and Shelby Avenue as a part of this Preliminary Plat application.

The property is located at the eastern terminus of E. Stumer Road and is currently void of any structural development.

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STAFF REVIEW:

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

Zoning: Proposed Lot 3 is currently zoned Office Commercial District with a Planned Development Designation. The applicant should be aware that prior to issuance of a building permit, an Initial and Final Planned Commercial Development application must be submitted for review and approval. In addition, a Traffic Impact Study may be required as a part of the Initial and Final Planned Commercial application in order to insure the coordination of street improvements with other development(s) within the area, including the proposed development to be located west of Fifth Street along Stumer Road.

Phasing: The applicant has submitted a Phasing Plan identifying that the property may be Final Platted in three phases. Phase One will consist of proposed Lot 3 and the abutting 235.66 feet of Stumer Road. Phase Two will consist of approximately 320 feet of Stumer Road and 300 feet of Shelby Avenue. Phase Three will consist of the eastern 180 feet of Stumer Road and the northern 518 feet of Shelby Avenue. The applicant has also submitted a Master Plan showing additional lots along Stumer Road and Shelby Avenue. The applicant should be aware that the Final Plat(s) for Phase Two and Three dedicating the right-of-way for the street(s) must be approved in order to secure access to the adjacent lots as they develop and to provide street connectivity between neighboring properties.

Shelby Avenue: Shelby Avenue is classified as a sub-collector street requiring that it be located within a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The construction plans identify Shelby Avenue located within a 52 foot wide right-of-way and constructed with a 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer along the northern portion of the street. Prior to Preliminary Plat approval by the City Council, construction plans must be submitted for review and approval showing a sewer main along the entire street or a Variance to the Subdivision Regulations must be obtained.

Turnaround(s): The Fire Department has indicated that temporary access easements must be secured for the temporary turnarounds to be constructed at the terminus of E. Stumer Road for Phase One and Phase Two. As such, staff recommends that prior to Preliminary Plat approval by the City Council, the plat document be revised to provide temporary access easements at the terminus of Stumer Road for Phase One and Phase Two. The temporary access easement(s) must be a minimum 110 feet in diameter.

Major Drainage Easement: The plat document identifies a 50 foot wide Major Drainage Easement located within the northwest corner of proposed Lot 3 and extending north and west to accommodate drainage flows within this area. The applicant has indicated that the Major Drainage Easement has previously been recorded at the Register of Deed's Office. As such, prior to Preliminary Plat approval by the City Council, the plat document must be revised to show the book and page of the recorded 50 foot wide Major Drainage Easement.

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,

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surety for any required subdivision improvements that have not been completed must be posted. As such, staff recommends 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 recommends 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.