

STAFF REPORT
January 26, 2012

No. 11PL076 - Preliminary Plat

ITEM 8

GENERAL INFORMATION:

APPLICANT	Flump & Lump, LLC
AGENT	Lawrence M. Kostaneski, PE for Centerline, Inc.
PROPERTY OWNER	Flump & Lump, LLC
REQUEST	No. 11PL076 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	SW1/4 NE1/4 less right-of-way located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Founders Park North Subdivision
PARCEL ACREAGE	Approximately 11 acres
LOCATION	North of the intersection of Founders Park Drive and Philadelphia Street
EXISTING ZONING	Medium Density Residential District (Planned Development Designation) - M-Hill Overlay Zoning District
SURROUNDING ZONING	
North:	Park Forest District
South:	Office Commercial District (Planned Commercial Development)
East:	Medium Density Residential District
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/29/2011
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 site plan and plat document as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Community Planning and Development Services Department;
2. Prior to Preliminary Plat approval by the City Council, road construction plans for

STAFF REPORT
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No. 11PL076 - Preliminary Plat

ITEM 8

- Philadelphia Street shall be submitted for review and approval showing a sidewalk along the north side of the street or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow two approaches to serve a residential lot in lieu of one approach as per the Street Design Criteria Manual or the plat document shall be revised to eliminate one of the approach locations;
 4. Prior to Preliminary Plat approval by the City Council, an accurate site drawing shall be provided to show the width of the actual dedicated Wood Street right-of-way and to show the dimensioned distance between the right-of-way, plat boundary and the proposed driveway location. In addition, an Exception request shall be obtained to reduce the separation between the intersection of Wood Street and Philadelphia Street and the proposed eastern approach to the property or the plat document shall be revised to relocate the approach to comply with the Street Design Criteria Manual;
 5. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show a non-access easement along Philadelphia Street in compliance with the Street Design Criteria Manual or an Exception shall be obtained;
 6. Prior to Preliminary Plat approval by the City Council, the Erosion and Sediment Control Plan shall be revised to address the erosion and sediment control and site restorations and stabilization for utility work in Wood Street and Short Street;
 7. Prior to Preliminary Plat approval by the City Council, the cost estimate shall be revised to reflect red line comments as needed;
 8. Prior to submittal of a Final Plat application, the proposed Major Drainage Easements and the Municipal Utility Easement to be created by Miscellaneous Document(s) shall be recorded at the Register of Deed's Office and a copy of the recorded document(s) shall be submitted with the Final Plat application. In addition, the proposed Municipal Utility Easement shall be labeled "Municipal Water Line Easement";
 9. Prior to submittal of a Final Plat application, the Certificate of Finance Officer shall be revised to read "Community Planning and Development Services Director" in lieu of "Growth Management Director";
 10. 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;
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 12. 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 subdivide a 39.29 acre parcel creating a 10.599 acre lot and leaving an unplatted non-transferable balance. The lot will be known as Lot 1 of Founders Park North Subdivision.

On May 6, 2011, the City approved a Planned Development Designation for the 39.29 acre parcel. On June 6, 2011, the City Council approved a Layout Plat (File #11PL025) to

STAFF REPORT
January 26, 2012

No. 11PL076 - Preliminary Plat

ITEM 8

subdivide the property to create one lot as shown on this Preliminary Plat. In addition, the City Council approved a Comprehensive Plan Amendment to the Major Street Plan (File #11CA004) to eliminate a proposed collector street extending through the property from Philadelphia Street to proposed Anamosa Street. The City Council also approved a Rezoning request (File #11RZ007) to rezone the 39.29 acre parcel from Park Forest District to Medium Density Residential District.

The property is located north of the intersection of Founders Park Drive and Philadelphia Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Zoning: As previously noted, the property is currently zoned Medium Density Residential District with a Planned Development Designation. The applicant should be aware that an Initial and Final Planned Residential Development must be submitted for review and approval prior to issuance of a building permit. As a part of the review, the applicant must demonstrate that all land area regulations, landscaping, drainage, utilities, fire access, parking, etc. as per the Rapid City Municipal Code and City Design Standards are being met. The property is also located within the M Hill Overlay District requiring that the project be designed in compliance with those established standards.

Philadelphia Street: Philadelphia Street is located along the south lot line of the property and is classified as a collector street on the City's Major Street Plan requiring that the street be located within a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The street is currently constructed in compliance with the Street Design Criteria Manual with the exception of a sidewalk along the north side of the street. As such, staff recommends that prior to Preliminary Plat approval by the City Council, road construction plans for Philadelphia Street be submitted for review and approval showing a sidewalk along the north side of the street or a Variance to the Subdivision Regulations must be obtained. The applicant should be aware that the sidewalk is not required to be constructed as a part of the plat, but rather, as a part of any future building permit for the adjacent property.

Approach Locations: The Street Design Criteria Manual states that a residential lot may have one approach. The Preliminary Plat identifies two approaches to the proposed lot. As such, prior to Preliminary Plat approval by the City Council, an Exception must be obtained to allow two approaches to serve a residential lot in lieu of one approach as per the Street Design Criteria Manual or the plat document must be revised to eliminate one of the approach locations.

The Street Design Criteria Manual states that a minimum separation of 75 feet must be provided between a street intersection and an approach location. It appears that a 30 foot separation is being proposed between the intersection of Wood Street and Philadelphia Street and the eastern approach to the property based on an Exception request to reduce the separation submitted with the Preliminary Plat application. However, the plat document shows Wood Street right-of-way with a 60 foot right-of-way and plan sheet C1 shows the width of the right-of-way as 40 feet. Subsequently, staff cannot determine the actual

STAFF REPORT
January 26, 2012

No. 11PL076 - Preliminary Plat

ITEM 8

separation between the approach and the street intersection. As such, staff recommends that prior to Preliminary Plat approval by the City Council, an accurate site drawing be provided showing the width of the actual dedicated Wood Street right-of-way and dimensioned distance between the right-of-way, plat boundary and the proposed driveway location. In addition, the Exception request must be obtained to reduce the separation or the plat document must be revised to relocate the approach as needed.

Erosion and Sediment Control Plan: An Erosion and Sediment Control Plan has been submitted for review and approval. However, the plan must be revised to address off-site improvements to serve the proposed lot. Staff recommends that prior to Preliminary Plat approval by the City Council, the Erosion and Sediment Control Plan be revised to address the erosion and sediment control and site restorations and stabilization for utility work in Wood Street and Short Street.

Easements: The plat document identifies that Major Drainage Easements and a Municipal Utility Easement located outside the boundaries of the Preliminary Plat will be created by Miscellaneous Document(s). The easements will secure drainage areas and a utility corridor to serve the proposed lot. Staff recommends that prior to submittal of a Final Plat application, the proposed Major Drainage Easements and the Municipal Utility Easement be recorded at the Register of Deed's Office and a copy of the recorded document(s) be submitted with the Final Plat application. Please note that the City will assist the applicant in creating the language for the Municipal Utility Easement since it will serve to secure a utility corridor for a City water main. In addition, the proposed Municipal Utility Easement must be labeled "Municipal Water Line 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 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. Upon submittal of a Final Plat application, surety must 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. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

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