

STAFF REPORT
March 22, 2012

No. 12PL008 - Preliminary Plat

ITEM 13

GENERAL INFORMATION:

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| APPLICANT | Century Resources, Inc. |
| PROPERTY OWNER | Century Resources, Inc. |
| REQUEST | No. 12PL008 - Preliminary Plat |
| EXISTING LEGAL DESCRIPTION | A portion of the NE1/4 of the SW1/4 of Section 32, and a portion of the NW1/4 of the SE1/4 of Section 32 located in the NE1/4 of the SW1/4 and the NW1/4 of the SE1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lot 8 and Lot 9 of Block 1 of Menard Subdivision |
| PARCEL ACREAGE | Approximately 7.75 acres |
| LOCATION | On the south side of East Anamosa Street southeast of the intersection East Anamosa Street and North Creek Drive |
| EXISTING ZONING | General Agriculture District |
| SURROUNDING ZONING | |
| North: | Light Industrial District (Planned Development Designation) |
| South: | Heavy Industrial District - General Commercial District |
| East: | General Agriculture District |
| West: | General Commercial District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 2/24/2012 |
| REVIEWED BY | Vicki L. Fisher / Nicole Lecy |

RECOMMENDATION:

Staff recommends that the Preliminary Plat be approved with the following stipulations:

1. Prior to Preliminary Plat approval by the City Council, construction plans for E. Philadelphia Street shall be submitted for review and approval showing the street located within a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised

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- to show a non-access easement along E. Anamosa Street and 203 feet along E. Philadelphia Street as they abut proposed Lot 9 in compliance with the Street Design Criteria Manual or an Exception shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, a Temporary Construction Easement and Utility Easement shall be secured on the parcel located southeast of the terminus of East Anamosa Street;
 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 create two lots, leaving an unplatted non-transferable balance. The lots will be known as Lot 8 and Lot 9 of Block 1, Menard Subdivision and will be sized 2.903 acres each.

On April 18, 2011, the City Council approved a Layout Plat (File #11PL018) to create a 5.802 acre lot, leaving an unplatted non-transferable balance. In addition, the City Council approved a Variance to the Subdivision Regulations (File #11SV006) to allow platting half a right-of-way and to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer for E. Philadelphia Street as it abuts the property.

On January 17, 2012 the City Council approved a Preliminary Plat to create a 5.802 acre lot, leaving an unplatted non-transferable balance. The applicant is now proposing to subdivide the 5.802 acres into two lots and has subsequently submitted this revised Preliminary Plat application.

The property is located west of the southern terminus of E. Anamosa Street. The property is currently void of any structural development.

STAFF REVIEW:

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

- E. Philadelphia Street:** East Philadelphia Street is located along the south lot line of the property and is classified as a collector street requiring that it be located within a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Prior to Preliminary Plat approval by the City Council, construction plans for East Philadelphia Anamosa Street must be

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submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Access: East Philadelphia Street, a collector street, is located along the south lot line of proposed Lot 9. In addition, East Anamosa Street, a principal arterial street, is located along the east lot line of proposed Lot 9. Pursuant to the Street Design Criteria Manual, access must be taken from the less traveled street, or in this case, East Philadelphia Street. As such, staff recommends that prior to Preliminary Plat approval by the City Council, the plat document be revised to show a non-access easement along E. Anamosa Street and 203 feet along E. Philadelphia Street as they abut proposed Lot 9 or an Exception must be obtained.

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 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.

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