

STAFF REPORT
February 9, 2012

No. 12PL002 - Preliminary Plat

ITEM 9

GENERAL INFORMATION:

APPLICANT	Lazy P-6 Land Co., Inc.
AGENT	Lawrence M. Kostaneski, PE for Centerline, Inc.
PROPERTY OWNER	Lazy P-6 Land Co., Inc.
REQUEST	No. 12PL002 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Unplatted 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 6 of North 80 Subdivision
PARCEL ACREAGE	Approximately 3 acres
LOCATION	Southeast of the intersection of East Stumer Road and Shelby Avenue
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Office Commercial District - Office Commercial District (Planned Development Designation)
South:	General Commercial District (Pennington County)
East:	General Agriculture District
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/13/2012
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, 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 Community Planning and Development Services Department;

STAFF REPORT
February 9, 2012

No. 12PL002 - Preliminary Plat

ITEM 9

2. Prior to Preliminary Plat approval by the City Council, road construction plans for Catron Boulevard shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with a 12 inch water main in conformance with the City's Utility System Master Plan and sewer or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, the applicant shall obtain written approval from the City Engineer to allow the use of a sewer termination riser or the construction plans shall be revised accordingly;
4. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show a minimum 20 foot wide water main easement through Lot 6 from E. Stumer Road to Catron Boulevard for a future 12 inch water main extension;
5. Prior to Preliminary Plat approval by the City Council, the applicant shall confirm that drainage on Lot 6 complies with the United States Army Corp of Engineers 404 Permit (Permit #2004-30258) and the requirements identified in the associated 2005 Wetland Mitigation Plan. If the drainage does not comply, a drainage report shall be submitted for review and approval for the area. In addition, drainage easements shall be secured as needed;
6. 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;
7. Prior to Preliminary Plat approval by the City Council, required drainage easements located on the unplatted balance north of proposed Lot 6 shall be secured and a copy of the recorded easement submitted to the Community Planning and Development Services Department for review and approval;
8. Prior to Preliminary Plat approval by the City Council, a revised cost estimate reflecting red line comments of the required subdivision improvements shall be submitted for review and approval;
9. Prior to Preliminary Plat approval by the City Council, the second page of the plat document showing the Certificate Titles shall be submitted for review and approval;
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 create a 2.993 acre lot to be known as Lot 6, North 80 Subdivision. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #12SV001) to waive the requirement to install water and sewer along Catron Boulevard and an Exception request (File #12EX009) to waive the requirement to install curb, gutter, sidewalk and street light conduit along Catron Boulevard as it abuts the property.

STAFF REPORT
February 9, 2012

No. 12PL002 - Preliminary Plat

ITEM 9

On January 26, 2011, the Planning Commission recommended approval of a Preliminary Plat (File #11PL075) to create Lots 4 and 5 of the North 80 Subdivision. In addition, the Planning Commission recommended approval of a Variance to the Subdivision Regulations (File #11SV023) to waive the requirement to install water and sewer along Catron Boulevard as an accessory item to the Preliminary Plat to create Lots 4 and 5. The City Council will consider these two items at their February 6, 2012 City Council meeting.

On January 12, 2012, an Exception request (File #12EX005) to waive the requirement to install curb, gutter, sidewalk and street light conduit along Catron Boulevard as it abuts the property was approved as an accessory item to the Preliminary Plat to create Lots 4 and 5.

The property is located southeast of the intersection of E. Stumer Road and Shelby Avenue. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Zoning: The northeast portion of proposed Lot 6 is zoned Office Commercial District with a Planned Development Designation. The balance of the proposed lot is currently zoned General Commercial District with a Planned Development Designation. The applicant should be aware that an Initial and Final Planned Commercial Development application must be submitted for review and approval prior to issuance of a building permit for development on the proposed lot. In addition, the proposed uses must comply with the Office Commercial District and General Commercial District, respectively. As a part of the application, 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.

Catron Boulevard: Catron Boulevard is located along the south lot line of the property and is classified as a principal arterial street on the City's Major Street Plan requiring that it be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the City's Utility System Master Plan identifies a 12 inch water main along Catron Boulevard. Currently, Catron Boulevard is located within a varying right-of-way width of 215 feet to 235 feet and constructed with a pavement width of approximately 68 feet.

Staff recommends that prior to Preliminary Plat approval by the City Council, road construction plans be submitted for review and approval showing the street constructed with a 12 inch water main in conformance with the City's Utility System Master Plan and sewer or a Variance to the Subdivision Regulations be obtained. Please note that on January 27, 2012, an Exception (File #12EX009) was approved to waive the requirement to construct curb, gutter, sidewalk and street light conduit along Catron Boulevard as it abuts the property.

Drainage: Previously reviewed drawings (0066 Lazy P-6 Wetlands Outflow Channel, Centerline, 2005, City DEV 05-796) indicated that a wetlands outfall was planned to drain the wetland located in the southwest corner of proposed Lot 5 along the south property line and then north to the existing wetland located on the north side of the Lazy P-6 property. To

STAFF REPORT
February 9, 2012

No. 12PL002 - Preliminary Plat

ITEM 9

date, the City does not have knowledge of the wetlands outflow channel being constructed. No improvements are being proposed as a part of this Preliminary Plat application. As such, staff recommends that prior to Preliminary Plat approval by the City Council, the applicant confirm that drainage on Lot 6 complies with the United States Army Corp of Engineers 404 Permit (Permit #2004-30258) and the requirements identified in the associated 2005 Wetland Mitigation Plan. If the drainage does not comply, a drainage report must be submitted for review and approval for the area. In addition, drainage easements must be secured as needed.

Preliminary construction plans indicate that drainage easements are necessary on the unplatted property located north of proposed Lot 6 to accommodate the drainage channel and storm sewer pipe. As such, staff recommends that prior to Preliminary Plat approval by the City Council, the required drainage easements located on the unplatted balance be secured and a copy of the recorded easement submitted to the Community Planning and Development Services Department for review and approval.

Stormwater Management Plan: The City Council adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. 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 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.