

STAFF REPORT

November 21, 2001

No. 01PL079 - Preliminary and Final Plat

ITEM 15

GENERAL INFORMATION:

PETITIONER	Ferber Engineering Company
REQUEST	No. 01PL079 - Preliminary and Final Plat
LEGAL DESCRIPTION	Lot 1 and Lot 2 of Lowe's Subdivision formerly Tract CR and Tract 1 of Martley Subdivision located in the NW1/4 of the NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 15.07 acres
LOCATION	On the east side of Haines Avenue between Mall Drive and Disk Drive
EXISTING ZONING	General Commercial District (PDD)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District/Light Industrial District
East:	Light Industrial District
West:	Low Density Residential District
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Preliminary and Final Plat **be approved with the following stipulations:**

Engineering Division Recommendations:

- 1. Prior to Preliminary Plat approval by the City Council, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;**
- 2. 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 Engineering Division;**
- 3. Prior to Preliminary Plat approval by the City Council, revisions to the Drainage Plan shall be submitted for review and approval as required by the Engineering Division. In addition, the plat shall be revised to show Major Drainage Easement(s) as required for conveyance of drainage from Lot 2 through Lot 1;**
- 4. Prior to Preliminary Plat approval by the City Council, minor revisions to the grading plan shall be submitted for review and approval;**

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5. Prior to Final Plat approval by the City Council, the plat shall be revised to show the access easement extending east from Haines Avenue as an "Access and Utility Easement";
6. Prior to Final Plat approval by the City Council, the plat shall be revised to remove the non-access easement along the north side of proposed Lot 2;
7. Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement along the north lot line of Lot 8 except for the approved approach location;
8. Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement along the first 50 feet of the east lot line as it extends north to south;

Urban Planning Division Recommendations:

9. A Special Exception to the Street Design Criteria Manual is hereby granted to reduce the separation requirement between signalized intersections from 1,200 feet to 600 feet;
10. A Special Exception to the Street Design Criteria Manual is hereby granted to reduce the width of the proposed access easement from 59 feet to 36 feet with the stipulation that the plat be revised identifying the easement as an "Access and Utility Easement";
11. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
12. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

GENERAL COMMENTS: On August 9, 2001, the Planning Commission continued the Preliminary and Final Plat to the August 23, 2001 Planning Commission meeting and approved the plat request as a Layout Plat with stipulations. The Preliminary and Final Plat has been continued several times since the August 23, 2001 Planning Commission meeting to allow the applicant to submit additional information and to allow staff to review a recently submitted traffic analysis. This Staff Report has been revised as of November 14, 2001. All revised or added text is shown in bold print.

The applicant has submitted a Preliminary and Final Plat to reconfigure two existing lots. Upon review of the plat request, staff determined that insufficient information was submitted to review the request as a Preliminary and Final Plat. As such, staff reviewed the proposed request as a Layout Plat and recommended that the Preliminary and Final Plat be continued to allow the applicant the necessary time to submit the additional information.

The property is located at the southeast corner of the intersection of Haines Avenue and Mall Drive and is currently void of any structural development. The applicant has indicated that the property will eventually be developed as a commercial development. The future development of proposed Lot 2 has not been identified. In 1998, the property was rezoned from Light Industrial District with a Planned Development Designation to General Commercial with a Planned Development Designation. In 1999, a Major Amendment to the Planned Development Designation was approved to change the boundaries of the

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development. Prior to issuance of a building permit, an Initial and Final Commercial Development Plan must be approved.

STAFF REVIEW: During the review of the Preliminary and Final Plat request, staff identified a number of concerns that must be addressed in order for the project to be approved.

Access: Mall Drive is located along the north lot line and Haines Avenue is located along the west lot line of the subject property. In addition, a portion of the southern lot line of proposed Lot 2 abuts Disk Drive. Mall Drive and Haines Avenue are classified as principal arterial streets on the Major Street Plan. The plat identifies a non-access easement along Mall Drive and Haines Avenue with the exception of a fifty foot wide shared access easement at the southern corner of proposed Lot 1. A previously platted 50 foot wide shared access easement located on the adjacent property directly east of the subject property is also shown as an access point to proposed Lot 1. The Engineering Division has indicated that a traffic analysis must be submitted for review and approval to determine if additional improvements such as a turn lane and/or a deceleration lane are needed in the two roadways. In addition, the Engineering Division will review the traffic analysis to determine if it warrants the signalization of the Haines Avenue/Mall Drive intersection. On September 7, 2001, the applicant submitted a traffic analysis for review. However, that analysis did not include the required site distance information relative to the proposed approach location(s) on Disk Drive and Mall Drive. The site distance information is necessary in order to determine if the location of the proposed approaches can operate safely and to determine what improvements, if any, will be necessary on Disk Drive and/or Mall Drive. On October 8, 2001, the applicant submitted an addendum to the traffic analysis including the site distance information as requested. Staff met with the applicant on October 18, 2001 to discuss the potential signalization of the access easement/Disk Drive intersection as proposed by the applicant. It was identified at the meeting that numerous traffic concerns exist regarding site distance issues, stacking constraints and the potential impact on the existing Haines Avenue/Disk Drive signalized intersection that may be created by allowing the proposed signalized intersection. It was further identified that the Disk Drive approach should be limited to a right-in/right-out only access point to the subject property. The applicant has indicated that the traffic study will be revised to analyze the impact of allowing a signal to be placed at the proposed Haines Avenue/access easement intersection. **On November 13, 2001, the applicant submitted a revised site plan eliminating the approach onto Disk Drive. In addition, the applicant submitted a revised traffic study addressing the impact on the Haines Avenue approach and the Mall Drive approach due to the removal of the Disk Drive approach. The Engineering Division has indicated that preliminary review of the revised traffic study identifies that eliminating the Disk Drive approach will have negligible effects on the two remaining approaches. In addition, the revised traffic study supports that the Haines Avenue/access easement intersection be signalized as proposed. In order to accommodate the traffic concerns at the intersection, the applicant has submitted road construction plans identifying the construction of a three lane road within the access easement, two of the lanes located on the north side of the easement will serve as south bound turn lanes. The study also identified that the signalized intersection will not negatively impact the existing Haines Avenue/Disk Drive intersection or the Haines Avenue/Mall Drive intersection. The applicant's road**

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construction plans also identify the reconstruction of Mall Drive to provide two lanes along the north side of Mall Drive extending the length of the lot and two lanes along the south side of Mall Drive extending 560 feet east from the intersection of Mall Drive and Haines Avenue, past the proposed approach location to the subject property, and merging into one lane approximately 220 feet from the east lot line.

On October 26, 2001, the applicant submitted a Subdivision Regulations Variance request to waive the requirement to install curb and gutter and sidewalks along Mall Drive and along the proposed access easement extending east from Haines Avenue. (See companion item #01SV032.) Staff has indicated that due to the topographic constraints of the property, a Variance to the Subdivision Regulations would be supported with the stipulation that a curb and gutter and curb side sidewalks be installed along the south side of Mall Drive and along the south side of the access easement.

In addition, the applicant has requested a Special Exception to the Street Design Criteria Manual to allow the separation between the signalized intersections of Haines Avenue/Disk Drive and Haines Avenue/access easement to be reduced from 1,200 feet to 600 feet. The applicant has also requested a Special Exception to the Street Design Criteria Manual to reduce the width of the proposed access easement from 59 feet to 36 feet. The Engineering Division has indicated that the traffic study supports the requests noting that reducing the separation will not create stacking conflicts between the two signalized intersections. As such, staff is recommending that a Special Exception to reduce the separation requirement from 1,200 feet to 600 feet be granted. In addition, the Engineering Division has indicated that the road construction plans identify sufficient room for the construction of utilities and a three lane road within the proposed 36 foot wide access easement. Staff is recommending that the Special Exception to reduce the width of the proposed access easement from 59 feet to 36 feet be granted with the stipulation that the plat be revised to identify the easement as an access and utility easement.

During the review of the Major Amendment to the Planned Development Designation in 1999, it was noted that there would be no permitted access to proposed Lot 2 (previously know as "Tract C") from Disk Drive. The only approved access along this section of Disk Drive is located further to the west off of Lot 8. The applicant has the option of negotiating with the adjacent property owner to extend a shared access easement from the approved approach location on Lot 8 to the subject property. The fifty foot wide shared access easement extending along the southern lot line of Lot 1 (east to west) serves as legal access to proposed Lot 2. As such, the Engineering Division has indicated that the plat must be revised to show a non-access easement along the south lot line of Lot 2 as it abuts Disk Drive. The Engineering Division has also indicated that road construction plans must be submitted for review and approval for the proposed shared east to west access easement. On September 7, 2001, staff met with the applicant and project representatives to discuss the possibility of allowing an approach along Disk Drive to serve as access to the subject property. Also in attendance at the meeting was a representative for the property owner of Lot 8. The applicant is proposing to relocate the previously approved approach location to Lot 8 further east along Disk Drive in order for the approach to serve as a shared

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access point to Lot 8 and the subject property. The applicant has indicated that a site plan will be submitted identifying the proposed approach location. On October 9, 2001, the applicant submitted a revised site plan identifying the proposed approach location along Disk Drive. As previously indicated, staff met with the applicant on October 18, 2001 and determined that the proposed approach will be limited to a right-in/right-out only approach due to traffic concerns along Disk Drive. **As previously indicated, on November 13, 2001, the applicant submitted a revised site plan eliminating the approach onto Disk Drive.**

Drainage: A complete drainage plan per the Haines Avenue Drainage Basin Development Plan must be submitted for review and approval. The increase in impervious area will be evaluated for conformance to the drainage basin design plans. In addition, major drainage easement(s) must be shown on the plat accordingly. **On October 9, 2001, the applicant submitted a drainage plan. The Engineering Division has indicated that the site plan must be revised to reflect the drainage pattern shown on the drainage plan. On November 9, 2001, a revised drainage plan was submitted for review and approval. The Engineering Division is currently reviewing the plans and has indicated that prior to Preliminary Plat approval, any additional revisions to the drainage plan must be completed and submitted for review and approval. In addition, the plat must be revised to show Major Drainage Easement(s) as required to convey drainage from Lot 2 through Lot 1.**

Topographic Information/Grading Plan: A topographic survey prepared by a licensed surveyor and grading plans must be submitted for review and approval prior to Preliminary Plat approval. **On October 9, 2001 the applicant submitted topographic information and a grading plan. The Engineering Division has indicated that minor revisions to the grading plan must be completed and submitted for review and approval prior to Preliminary Plat approval.**

Uniform Fire Codes: The Fire Department has indicated that all Uniform Fire Codes must be met. In particular, Section 903.2 of the Uniform Fire Code states that "an approved water supply capable of supplying the required fire flow protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief". Prior to issuance of a building permit or on-site construction using combustible material(s), an approved water supply must be provided. Section 903.3 of the Uniform Fire Code states that the "water supply is allowed to consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems". Staff is recommending that all provisions of the Uniform Fire Code be met.

Planned Development Designation: As previously indicated, a Planned Development Designation was approved for the subject property in 1998 and amended to change the boundaries of the development in 1999. Prior to issuance of a building permit, an Initial and Final Planned Commercial Development must be approved. The applicant has submitted a preliminary site plan identifying the construction of a Lowes Home Center, Inc. on proposed

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Lot 1. In addition, the site plan identifies an approach along Mall Drive to Lot 1 located approximately 290 feet from the intersection of Mall Drive and Haines Avenue. The Engineering Division has indicated that a traffic analysis must be submitted identifying any impact the approach may have on this section of Mall Drive and on the Mall Drive/Haines Avenue intersection. Subsequently, improvements along Mall Drive and/or at the Mall Drive/Haines Avenue intersection may be necessary. In addition, the plat must be revised to remove that portion of the non-access easement from Mall Drive.

The site plan also identifies access from Disk Drive to proposed Lot 2. The Engineering Division has indicated that the site plan must be revised eliminating the approach onto Disk Drive. As previously indicated, the only approved access along this section of Disk Drive is located further to the west off of Lot 8. The applicant has the option of negotiating with the adjacent property owner to extend a shared access easement from the approved approach location on Lot 8 to the subject property. The shared access easement located along the southern lot line of proposed Lot 1 is shown as a second access point to proposed Lot 2. The site plan also identifies 28 parking spaces located within a portion of the access easement. Upon submittal of the Initial Commercial Development Plan, the site plan must be revised eliminating the parking spaces from the easement.

Plat Labeling: Prior to Final Plat approval, the plat must be revised to remove the non-access easement along the north side of proposed Lot 2. In addition, the non-access easement along the north side of Lot 8 must be extended to the west lot line. The Engineering Division has indicated that one approach along the north side of Lot 8 is allowed. Prior to Final Plat approval, the plat must be revised to show one approach to Lot 8 meeting the minimum separation requirement between the Haines Avenue/access easement intersection and the proposed approach location as identified in the previously submitted traffic study.

A 50 foot X 72 foot shared access easement is located on the adjacent property, along the northeast corner of the subject property. The terrain precludes the access easement from serving as access to the site. In addition, the applicant's site plan does not show the shared access easement serving as access to the property. As such, the Engineering Division has indicated that a non-access easement must be shown along the first 50 feet of the east lot line extending north to south in order to assure that the existing shared access easement does not interfere with the proposed approach along Mall Drive. Staff is recommending that the plat be revised as identified prior to Final Plat approval.

Staff believes that the proposed plat generally complies with all applicable zoning and subdivision regulations based upon compliance with the stated stipulations.

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