

STAFF REPORT

April 10, 2003

No. 02PL116 - Preliminary and Final Plat

ITEM 4

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 02PL116 - Preliminary and Final Plat
EXISTING LEGAL DESCRIPTION	The unplatted portion of the W1/2 SW1/4 NW1/4 including private drive, less Lot H2 and less right-of-way; the unplatted portion of the E1/2 SW1/4 NW1/4 and the unplatted portion of the S1/2 GL3; S1/2 GL4 less Lot 1 and less Lot H3; SE1/4 NW1/4 less Big Sky Subdivision and less right-of-way
PROPOSED LEGAL DESCRIPTION	Lot 1, Block 1; Lots 1 thru 5, Block 2; Lots 1 and 2, Block 3; Lots 1 and 2, Block 4; Lots 1 thru 4, Block 5; Lot 1, Block 6 and dedicated Street, Big Sky Business Park, located in the SW1/4 SW1/4 and the S1/2 NW1/4 NW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.9 acres
LOCATION	East of the intersection of Homestead Street and Elk Vale Road
EXISTING ZONING	General Commercial District w/Planned Development Designation/Office Commercial w/Planned Commercial Development
SURROUNDING ZONING	
North:	General Commercial District w/Planned Development Designation and Office Commercial w/Planned Development Designation
South:	Suburban Residential District (County)
East:	Medium Density Residential District w/Planned Development Designation
West:	Light Industrial District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	10/25/2002
REPORT BY	Vicki L. Fisher

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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, the drainage plan shall be revised as necessary to address City Engineering comments and submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;
2. Prior to Preliminary Plat approval by the City Council, the sewer plans shall be revised as necessary to address City Engineering comments and submitted for review and approval. In addition, the applicant shall coordinate with Rapid Valley Sanitary District to demonstrate that the downstream facilities can accommodate the additional flows. Off-site utility easements for the proposed extension to Jolly Lane shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, the water plans shall be revised as necessary to address City Engineering comments and submitted for review and approval. In particular, a water line shall be constructed in the Elk Vale Road right-of-way or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to Preliminary Plat approval by the City Council, construction plans for street improvements shall be submitted for review and approval. The design speed for Homestead Street shall not be less than 30 miles per hour. All other streets shall have a design speed of not less than 25 miles per hour;
5. Prior to Preliminary Plat approval by the City Council, the construction plans for Timmons Boulevard and Berniece Street shall be revised to meet the minimum geometric design standards of a collector road;
6. Prior to Final Plat approval by the City Council, the plat document shall be revised to show the dedication of right-of-way for the future cul-de-sac to be located at the northern terminus of Timmons Boulevard;
7. Prior to Preliminary Plat approval by the City Council, the applicant shall sign an agreement to vacate approximately 300 feet of the east-west leg of Berniece Street once the Homestead Street connection is completed east of the subject property;
8. Prior to Final Plat approval by the City Council, the Berniece Street agreement to vacate approximately 300 feet of the east-west leg shall be recorded at the Register of Deed's Office;
9. Prior to Final Plat approval by the City Council, the plat document shall be revised to show a non-access easement along Lots 4 and 5 of Block 2 and Lots 3 and 4 of Block 5 except for the approved approach locations;
10. Prior to Final Plat approval by the City Council, a miscellaneous document shall be recorded at the Register of Deed's Office to create a drainage easement for the 1.802 acres located within the northwest corner of the subject property;
11. No construction shall commence until construction plans for the subdivision improvements have been approved by the City of Rapid City;

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Fire Department Recommendation:

12. All Uniform Fire Codes shall be continually met;

Emergency Services Communication Center Recommendation:

13. Prior to Final Plat approval by the City Council, a revised road name for the east west leg of Timmons Boulevard shall be submitted for review and approval. In addition, the plat document shall revised to show the approved road name;

Urban Planning Division Recommendations:

14. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to eliminate Lot 1 of Block 1, Lot 1 of Block 5 and Lot 1 of Block 6 or road construction plans for the adjacent roadway(s) shall be submitted for review and approval;
15. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
16. 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:

This item has been continued several times since the January 9, 2003 Planning Commission meeting at the applicant's request. Staff had originally recommended that the item be approved with thirteen stipulations.

Staff reviewed revised construction plans and noted that the plans do not show the extension of City water to the northwest corner of the subject property as previously required. **On March 12, 2003 the applicant submitted the construction plans showing the extension of City water as identified. The Preliminary and Final Plat was subsequently continued at the March 27, 2003 Planning Commission meeting to allow staff sufficient time to review the revised construction plans. Staff has reviewed the plans and recommends that the Preliminary and Final Plat be approved with the stipulations as outlined above. Please note that no other part of this Staff Report has been revised.**

The applicant has submitted a Preliminary and Final Plat to create a 15 lot commercial development to be known as the Big Sky Business Park. The property has recently been annexed into the City limits of Rapid City and, subsequently, zoned from No Use District to General Commercial District with a Planned Development Designation and Office Commercial District with a Planned Development Designation, respectively.

The property is located east and north of the Rushmore Industrial Park on the east side of Elk Vale Road and is currently void of any structural development.

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STAFF REVIEW:

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

Zoning: Currently, the western half of the subject property is zoned General Commercial District with a Planned Development Designation and the eastern half is zoned Office Commercial with a Planned Commercial Development. The lot lines as shown on the proposed plat document do not align with the existing zoning boundaries. The applicant should be aware that any future development of the proposed lot(s) must be in compliance with the specific zoning district(s) of each lot.

Drainage: The area of the proposed development is located in the Race Track Draw Drainage Basin. A Basin Plan, with subsequent amendment(s), has been prepared and approved by the City. Additional hydraulic analysis must be presented to demonstrate that the proposed improvements comply with the Basin Plan and the City Drainage Design Criteria Manual. Additional plans for erosion control during construction and final site stabilization are also needed. Staff is recommending that the drainage plan be revised to incorporate the previous studies as identified and to revise the plat document to provide drainage easements as needed.

Water and Sewer: The property is located within the City's utility service boundaries. However, the sewer will ultimately be conveyed into the Rapid Valley Sanitary District sewer main(s) in order to reach the City's wastewater plant located south of S. D. Highway 44. As such, the applicant must coordinate with Rapid Valley Sanitary District demonstrating that the downstream facilities can accommodate the anticipated use from the proposed development. (Staff has submitted a copy of the construction plans to Rapid Valley Sanitary District for their review.)

The applicant's utility plans show the extension of sewer line(s) south to Jolly Lane. Utility easement(s) for the proposed extension must be obtained. (A portion of the sewer line is located in the Rapid Valley Sanitary District service area.) Staff is recommending that utility easements for all off-site improvements be obtained prior to Preliminary Plat approval by the City Council.

Access: Homestead Street extending east from Elk Vale Road is shown to serve as access to the subject property. Homestead Street is classified as a collector road on the Major Street Plan. The construction plans show Homestead Street as a 100 foot wide right-of-way with a 36 foot wide paved surface to allow for two 18 foot wide lanes. This meets the requirements for a collector road with on-street parking per the Street Design Criteria Manual. However, the construction plans identify that the east 70 feet of Homestead Lane as it abuts the radio tower site is not proposed for construction at this time. The Engineering Division has indicated that the construction plans must be revised to include the construction of this portion of the roadway with a temporary turnaround at the end of the roadway. In addition, the construction plans must be revised to show provisions for a bike path along the south side of Homestead Street. It is anticipated that Homestead Street will eventually be extended through the radio tower site. However, the property is under different ownership

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and the current owner has not granted the right-of-way to construct the road through the property. The construction plans include a proposed road profile for the extension of Homestead Street through the radio tower site to the connection with that portion of Homestead Street that is to be constructed in conjunction with the previously approved "Big Sky Phase V" plat. The Engineering Division has noted that maximum grades proposed, as well as the grades in the area of the proposed intersection with Neel Street, do not meet the standards of the Rapid City Street Design Criteria Manual. Neel Street and Homestead Street are both identified as collector roads on the Major Street Plan and, as such, there is a significant likelihood for the future signalization of the intersection. The Engineering Division has indicated that complete adherence to all design criteria standards must be maintained. Compliance with the standards will require revision of the plans in the area proposed to be platted under this action.

As an interim road connection to the east, Timmons Boulevard is shown to extend north from Homestead Street for a distance of 850 feet and east for a distance of 1,170 feet to the east lot line of the subject property. Timmons Boulevard is classified as a subcollector street in its ultimate configuration; however, until Homestead Street is extended through the radio tower site, it will function as a collector street. The Engineering Division has indicated that the collector street design standards must be utilized in evaluation of the street design. As such, the construction plans must be revised accordingly. It is anticipated that Timmons Boulevard will eventually cul-de-sac at the northern terminus once Homestead Street, the collector street, is extended through the radio tower property. In addition, approximately 300 feet of the east-west leg of Timmons Boulevard will be vacated. The plat identifies four lots adjacent to the portion of Timmons Boulevard to be vacated in the future. The two western lots will ultimately be accessed via the future cul-de-sac and the two eastern lots will ultimately be accessed via a future shared approach extending off Neel Street. (Neel Street is a proposed north-south roadway located in the eastern portion of the subject property.) As such, staff is recommending that a non-access easement be shown along the four lot lines as they abut that portion of Timmons Boulevard to be vacated. In addition, the plat must be revised to show the dedication of the right-of-way for the future cul-de-sac.

The construction plans also show the extension of Timmons Boulevard south from Homestead Street to the southern lot line of the subject property. The Engineering Division has indicated that the construction plans must be revised to show a cul-de-sac at the southern terminus of Timmons Boulevard. The applicant has indicated that the three southern most lots will be eliminated from the plat eliminating the need to provide the cul-de-sac as identified.

As previously indicated, Neel Street is proposed to be located in the eastern half of the subject property and runs in a north-south direction. Neel Street is classified as a collector road on the Major Street Plan. The construction plans show Neel Street as a 60 foot wide right-of-way with a 24 foot wide paved surface to allow for two 12 foot wide lanes. This meets the requirements for a collector road with no on-street parking per the Street Design Criteria Manual.

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Currently, a 40 foot wide private drive and utility easement is located along the south lot line of the subject property. A note on the plat states that the "...private drive shall become null and void upon availability of dedicated and fully developed access to E1/2SW1/4NW1/4" (the radio tower site). The private drive must either be vacated in conjunction with or prior to Final Plat approval requiring the signatures of all affected property owners on a vacation petition or the private drive must be constructed to City street design standards. The applicant also has the option of obtaining a Variance to the Subdivision Regulations to waive the requirement to improve the private drive. As previously indicated, the applicant has stated that the plat document will be revised to eliminate the three southern most lots. As such, the 40 foot wide private drive and utility easement adjacent to the lots does not have to be improved as a part of this plat. Staff is recommending that, prior to Preliminary Plat approval by the City Council, a revised plat document be submitted for review and approval showing the elimination of the three lots or road construction plans for all adjacent roadway(s) shall be submitted for review and approval.

Elk Vale Road is located along the west lot line of the subject property. As such, Elk Vale Road must be improved to City street design standards with curb, gutter, sidewalk, street light conduit and water prior to Final Plat approval or a Variance to the Subdivision Regulations must be obtained. On December 13, 2002, the applicant submitted a Subdivision Regulations Variance request to waive the requirement to improve Elk Vale Road as identified. (See companion item #02SV049.)

Fire Department: The Fire Department has also indicated that all streets, cul-de-sacs and turnarounds must be in compliance with the Street Design Criteria Manual and the Uniform Fire Code. In addition, fire hydrants will be required as per Uniform Fire Code. The fire hydrants must be in place and operational prior to any building construction. A minimum of 2,500 gpm/20psi fire flow(s) must be provided. The Fire Department has also indicated that all weather access roads must be in place prior to any building construction. In addition, the Fire Department has indicated that street signs and lot addresses must be posted prior to or in conjunction with any building construction. Staff is recommending that the Uniform Fire Code be continually met.

Plat Labeling: The Emergency Services Communication Center has indicated that the east-west leg of Timmons Boulevard must have a separate name since a portion of the roadway will eventually be vacated resulting in two separate streets. Staff is recommending that a new road name be submitted for review and approval and the plat document be revised to show the revised road name prior to Final Plat approval.

Update: On December 2, 2002, staff met with the applicant to discuss the outstanding issues relative to the proposed project. The applicant indicated that a Variance to the Subdivision Regulations will be submitted for review and approval to waive the requirement to improve Elk Vale Road to City street design standards. In addition, the applicant indicated that the plat document will be revised to eliminate Lot 1 of Block 1, Lot 1 of Block 5 and Lot 1 of Block 6 in order to eliminate the requirement to improve the 40 foot wide private drive located along the south lot line of the subject property and to eliminate the requirement to

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improve the east 176 feet of Homestead Street as a part of this phase of the project. Staff also requested that the applicant submit sewer flows to be generated by the proposed development in order for the Rapid Valley Sanitary District to determine if their down-stream facilities can accommodate the anticipated use from the proposed development. The applicant also indicated that additional drainage information and/or revisions to the drainage plan will be submitted for review and approval as requested. Lastly, the applicant indicated that the construction plans will be revised to show Homestead Street with a 35 mile per hour design speed.

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