

STAFF REPORT  
January 4, 2007

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**No. 06PL175 - Layout Plat**

**ITEM 39**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying for Judy Lien
REQUEST	<b>No. 06PL175 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	A portion of the unplatted balance of the NW1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 2, 3 and 4 of LJS Subdivision, formerly a portion of the unplatted balance of the NW1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.38 acres
LOCATION	Maple Avenue and Mall Drive
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Shopping Center-2 District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/27/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Layout Plat be **approved with the following stipulations:**

- 1. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures;**
- 2. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;**

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3. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Knollwood Drainage Basin and the Box Elder Drainage Basin shall be submitted for review and approval. In particular, the drainage plan shall demonstrate that the design does not result in the interbasin transfer of drainage. In addition, the drainage plan shall include calculations demonstrating that developed flows from the site do not exceed pre-developed flows or local detention facilities must be provided or expanded as necessary. The plat document shall also be revised to provide drainage easements as needed;
4. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the applicant shall enter into an agreement with the City to fund that portion of the sewer main extension along Mall Drive as it abuts Lot 2 or the applicant shall extend the sewer main as a part of this plat. In addition, the plat document shall also be revised to provide utility easements as needed;
5. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements as needed;
6. Upon submittal of a Preliminary Plat application, road construction plans for Mall Drive shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
7. Upon submittal of a Preliminary Plat application, road construction plans for N. Maple Avenue shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
8. Upon submittal of the Preliminary Plat application, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained. In addition, the International Fire Code shall be continually met;
9. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
10. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show non-access easements as per the Street Design Criteria Manual. In particular, a non-access easement shall be shown along Mall Drive or an Exception to the Street Design Criteria Manual shall be obtained to allow access from the higher order street;
11. Prior to submittal of a Final Plat application, the plat document shall be revised to read "N. Maple Avenue" in lieu of "Maple Avenue";
12. Upon submittal of a Final Plat application, surety for any required subdivision

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- improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
13. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**

GENERAL COMMENTS:

**(Update, December 19, 2006. All revised and/or added text is shown in bold print.) This item was continued at the December 7, 2006 Planning Commission meeting to allow the applicant to submit additional information. On December 18, 2006 the applicant submitted a Master Utility Plan as required.**

(Update, November 25, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 22, 2006 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the January 4, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

The applicant has submitted a Layout Plat to subdivide the subject property into three lots leaving a non-transferable unplatted balance. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Mall Drive and N. Maple Avenue and to reduce the pavement width along Mall Drive from 40 feet to 26 feet as they abut the subject property. (See companion item No. 06SV069.)

The property is located in the southeast corner of the intersection of Mall Drive and N. Maple Avenue. Currently, the property is void of any structural development.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or an exception whichever is applicable.

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

Water: An existing 12 inch water main is located along the north-south portion of N. Maple Avenue, including that portion of the street abutting proposed Lot 4. In addition, a water main, owned by and utilized for Rushmore Mall, is located in the balance of N. Maple Avenue as it abuts the subject property. A 12 inch water main is also located along Mall Drive up to the northwest corner of proposed Lot 2. It appears that the water main must be

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extended along Mall Drive and/or N. Maple Avenue in order to serve Lot 2. The applicant has not submitted a utility master plan demonstrating service to the lots. As such, staff is recommending that the Layout Plat and the associated Variance to the Subdivision Regulations be continued to allow the applicant to submit the additional information. **On December 18, 2006, the applicant submitted a Master Utility Plan showing the extension of a sewer main along N. Maple Avenue, a water main along Mall Drive and water and sewer service lines to each of the proposed lots.**

Sewer: An eight inch sewer main is located along N. Maple Avenue, with the exception of that portion of the street abutting proposed Lot 4. To date, a sewer main has not been constructed along Mall Drive as it abuts the subject property. The Public Works staff has noted that sewer may be constructed along this portion of Mall Drive in 2010. Due to the topography of the subject property, it is unclear if the sewer along N. Maple Avenue can gravity sewer all of the subject property. As such, staff is recommending that the Layout Plat and the Variance to the Subdivision Regulations be continued to allow the applicant to submit the above referenced utility master plan showing sewer service to the lot(s). **As noted above, the applicant has submitted a Master Utility Plan showing sewer service to each of the proposed lots.**

Public Works staff has indicated that the City has a 2007 project scheduled to extend sewer along Mall Drive. As such, the applicant must enter into an agreement with the City to fund this portion of the sewer main extension along Mall Drive as it abuts Lot 2 or the applicant must extend the sewer main as a part of this plat.

Drainage: The property is located in the Knollwood Drainage Basin and the Box Elder Drainage Basin. As such, staff is recommending that upon submittal of a Preliminary Plat, a drainage plan be submitted for review and approval in compliance with both Drainage Basin Plans. In particular, the drainage plan must demonstrate that the design does not result in the interbasin transfer of drainage. In addition, the drainage plan must include calculations demonstrating that developed flows from the site do not exceed pre-developed flows or local detention facilities must be provided or expanded as necessary. **No increase in drainage flows are allowed in the Box Elder Drainage Basin due to insufficient capacity downstream.** The plat document must also be revised to provide drainage easements as needed.

Mall Drive: Mall Drive is located along the north lot line of the subject property and is classified as a principal arterial street on the City's Major Street Plan. A principal arterial street must be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Mall Drive is located in a 150 foot wide right-of-way and constructed with an approximate 26 foot wide paved surface. In addition, a water main has been constructed along a portion of the property, or to the northwest corner of proposed Lot 2. Staff is recommending that upon submittal of a Preliminary Plat, construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

N. Maple Avenue: N. Maple Avenue is located along the south and west lot lines of the subject property. The street is classified as a commercial street requiring that it be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved

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surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, N. Maple Avenue is located in a 100 foot wide right-of-way and constructed with an approximate 40 foot wide paved surface. In addition, water and sewer mains have been installed along a portion of N. Maple Avenue. Staff is recommending that upon submittal of a Preliminary Plat, construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Emergency Services Communication Center: The Emergency Services Communication Center staff has indicated that the plat document must be revised to read "N. Maple Avenue" in lieu of "Maple Avenue". Staff is recommending that the plat document be revised as identified prior to submittal of a Final Plat application.

**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 is recommending that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.**

**Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.**