

STAFF REPORT  
November 6, 2008

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**No. 08PL138 - Preliminary Plat**

**ITEM 30**

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GENERAL INFORMATION:

APPLICANT	North Street Fire Station, LLC
AGENT	Ferber Engineering Co., Inc.
PROPERTY OWNER	FMLC, Inc.
REQUEST	<b>No. 08PL138 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	A portion of the SE $\frac{1}{4}$ north of Interstate 90 less Tract A of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and less lots H5, H6, H7, H8 and H9 but including that part of vacated East Mall Drive being part of the outside edge of Lot H5; and part of the SW $\frac{1}{4}$ north of Interstate 90 including vacated East Mall Drive within said SW $\frac{1}{4}$ and less Lot 1 of NE $\frac{1}{4}$ SW $\frac{1}{4}$ and less Lots 1 and 2 of NW $\frac{1}{4}$ SW $\frac{1}{4}$ and less Lot H5 and less lot H8; and part of Lot 1 of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ including vacated East Mall Drive within said Lot 1 and less Lot H7; and part of NW $\frac{1}{4}$ including vacated East Mall Drive within said NW $\frac{1}{4}$ less Lots AR, B, C and less E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and less E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and less Lots H2 and H4; and part of Lot C of NW $\frac{1}{4}$ less Lot H3 and less Lot H1; and part of Lot 1 of Silver Strike Subdivision; and all located in Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Block 5 of East Mall Business Center Subdivision and dedicated public right-of-way for East North Street, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 22 acres
LOCATION	Northwest of the intersection of East North Street and East Mall Drive
EXISTING ZONING	General Commercial District - General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	General Commercial District
East:	General Agriculture District
West:	General Commercial District

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PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/10/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

**RECOMMENDATION:**

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

1. Prior to City Council approval of the Preliminary Plat application, all red lined comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department;
2. Prior to Final Plat approval, a different road name shall be submitted for review and approval for East North Street;
3. Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements reflecting the project phasing shall be submitted for review and approval;
4. Prior to Preliminary Plat approval by City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
5. Prior to Preliminary Plat approval by City Council, revised construction plans identifying the phasing plans shall be submitted for review and approval;
6. Upon submittal of a Final Plat application, surety for the lift station and force main improvements or alternative gravity sewer service and any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees be paid as required;
7. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
8. 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 and leaving the remaining portion of the property as an unplatted balance. The property is located at the northwest of the intersection of East Mall Drive and East North Street. The property is currently zoned General Commercial District and General Commercial District with a Planned Development Designation and void of structural development.

On October 6, 2008 City Council approved a Layout Plat (#08PL125) application for the property with the following stipulations:

1. Upon submittal of a Preliminary Plat application, a drainage and grading plan must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary;

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2. Upon submittal of the Preliminary Plat application, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;
3. Upon submittal of the Preliminary Plat application, water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
4. Upon submittal of the Preliminary Plat application, road construction plans for East Mall Drive shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in 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 or a Variance to the Subdivision Regulations shall be obtained;
5. Upon submittal of the Preliminary Plat application, road construction plans for East North Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in 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 or a Variance to the Subdivision Regulations shall be obtained;
6. Upon submittal of the Preliminary Plat application, the plat document shall be revised to show the required non-access easements except at the approved approach locations;
7. Upon submittal of the Preliminary Plat application, a different road name shall be submitted for review and approval for East North Street;
8. Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;
9. Prior to Preliminary Plat approval by City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual 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 subdivision inspection fees be paid as required;
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 Layout 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.

**STAFF REVIEW:**

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

**East Mall Drive:** E. Mall Drive is located along the south lot line of the property and is classified as a principal arterial street requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, water and sewer. The street is currently located in a minimum 100 foot wide right-of-way and is being constructed by the City of Rapid City

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with five paved lanes, curb, gutter, street light conduit, water and sewer in accordance with the minimum standards of the Rapid City Street Design Criteria Manual.

East North Street: East North Street is located along the east lot line of the property and is classified as a proposed minor arterial street requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, water and sewer. Staff also noted that on July 21, 2008, Tax Increment District #69 was approved by City Council for the North Street Fire Station that included this portion of East North Street. Staff noted that road construction plans for East North Street were submitted for review and approval and appear to meet the minimum standards of the Rapid City Street Design Criteria Manual.

Staff noted that the street name, East North Street, should not extend past the south side of Interstate 90. As such, staff is recommending that prior to Final Plat approval of the Preliminary Plat application, a revised road name must be submitted for review and approval for this portion of the street.

Easement Designation: Staff noted that non-access easements were shown on the plat document except at the approved approach locations.

Drainage: A drainage and grading plan, as well as an erosion and sediment control plan were submitted for review and approval demonstrating that the design flows do not exceed pre-developed flows or on-site detention is being provided.

Water: Staff noted that water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities are available for domestic and fire flows were submitted for review and approval meeting the minimum requirements of the Rapid City Subdivision Regulations.

Sanitary Sewer: Staff noted that sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines were submitted for review and approval meeting the minimum requirements of the Rapid City Subdivision Regulations. However, the plans do not include the lift station and force main necessary to serve Lot 2. The applicant is currently exploring alternative design solutions including the provision of gravity sewer extended to the northeast to serve Lot 2. The applicant requested that surety be posted for the design of the lift station and the force main to allow the gravity sewer option to be explored. As a gravity sewer is preferred by the City, staff recommends approval of this request.

Phasing: The applicant is considering phasing the final platting of the property. A copy of the phasing plan is attached. Prior to City Council approval of the Preliminary Plat application, revised construction plans and cost estimates must be submitted for review and approval.

Stormwater Management Plan: The City Council has recently 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 is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and

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Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

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. As such, staff is recommending 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 addition, 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.

Redline Comments: Staff is recommending that prior to City Council approval of the Preliminary Plat application, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department.

Master Plan: On January 21, 1991, City Council adopted a resolution to establish a policy to request a proposed master plan for surrounding property prior to plat approval. A master plan for the entire property has been submitted identifying efficient circulation of traffic, adequate access to adjoining properties, and extension of public utilities.

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