

STAFF REPORT
August 6, 2009

No. 09PL041 - Preliminary Plat

ITEM 7

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Doyle Estes
REQUEST	No. 09PL041 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The unplatted balance of the NW1/4 of the NW1/4, less the east 200 feet lying south of Cheyenne Boulevard right-of-way, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract A of Block 2 of Heartland Retail Center, located in the NW1/4 of the NW1/4, Section 34, T2N, R8E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 23.54 acres
LOCATION	Southeast of the intersection of Cheyenne Boulevard and North Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District - General Commercial District (Planned Commercial Development)
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/10/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council approval, construction plans for Elk Vale Road shall be submitted for review and approval showing the installation of curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained to waive the requirement to install water and sewer and an Exception shall be obtained to waive the requirement to install curb, gutter, sidewalk and street light conduit;

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2. Prior to Preliminary Plat approval by the City Council, a revised Master Plan shall be submitted for review and approval showing the extension of sewer and water to the balance of the property as well as adequate access to the large commercial lots;
3. Upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Plan designed in compliance with the adopted Stormwater Quality requirements shall be submitted for review and approval. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
4. Prior to Preliminary Plat approval by the City Council, a grading plan shall be submitted for review and approval if any subdivision improvements are required;
5. 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;
6. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
7. 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 23.54 acre lot. Currently, the parcel is an approximate 23.54 acre unplatted balance and is being platted for the purposes of transferring the property. The proposed lot is a part of the commercial development known as "Heartland Retail Center".

The property is located east of Elk Vale Road and south of Cheyenne Boulevard. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Elk Vale Road: Elk Vale Road is located along the west 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, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Elk Vale Road is located in a 250 foot wide right-of-way and constructed with two north bound 12 foot wide paved lanes and two south bound 12 foot wide paved lanes separated by a median. In addition, a sanitary sewer force main and a water transmission main are located along the west side of Elk Vale Road. However, a sanitary sewer force main cannot be used to provide gravity sewer service. As such, a gravity sewer main must be provided along Elk Vale Road or a Variance to the Subdivision Regulations must be obtained to waive the requirement. Similarly, a distribution line must be extended under Elk Vale Road from the water transmission line in order to provide water service to the property from Elk Vale Road or a Variance to the Subdivision Regulations must be obtained to waive the requirement. An Exception must also be obtained to waive the requirement to install curb, gutter, sidewalk and street light conduit along Elk Vale Road.

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Staff recommends that prior to Planning Commission approval, the Variance to the Subdivision Regulations and the Exceptions must be obtained as identified or construction plans must be submitted for review and approval.

Cheyenne Boulevard: Cheyenne Boulevard is classified as a commercial 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, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant's site plan identifies Cheyenne Boulevard as being constructed in a 100 foot wide right-of-way with 36 feet of pavement, curb, gutter, sidewalk, street light conduit, sewer and water meeting the minimum requirements of the Street Design Criteria Manual and the Rapid City Municipal Code.

Master Plan: The applicant has submitted a Master Plan for Heartland Retail Center showing additional commercial lots located northeast and east of this lot. In addition, the Master Plan identifies two north-south collector streets extending through the adjacent property in compliance with the City's adopted Major Street Plan. However, the commercial lots are large in size with limited access being provided. As such, staff recommends that prior to Preliminary Plat approval by the City, a revised Master Plan be submitted for review and approval showing reasonable access to the large commercial lots as well as the extension of water and sewer to the balance of the property.

Stormwater Management Plan: The City Council 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 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 any subdivision improvements are required.

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 Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff recommends 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 recommends that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

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