

STAFF REPORT
August 27, 2009

No. 09PL049 – Layout and Preliminary Plat

ITEM 28

GENERAL INFORMATION:

APPLICANT	Menard, Inc.
AGENT	FMG, Inc.
PROPERTY OWNER	Menard, Inc.
REQUEST	No. 09PL049 - Layout and Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot B of Menard Subdivision located in the SE1/4 NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots B1 and B2 of Menard Subdivision, located in the SE1/4 NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.66 acres
LOCATION	1830 Eglin Street
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Planned Commercial Developmentg)
East:	General Commercial District (Planned Development Designation)
West:	General Commercial District (Planned Commercial Developmentg)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/31/2009
REVIEWED BY	Patsy Horton / Ted Johnson

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the Planning Commission, construction plans for East North Street shall be submitted for review and approval. In particular, the

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- construction plans shall show the street constructed with sewer and sidewalk or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the Planning Commission, construction plans for the existing Menard Drive right-of-way located along the east lot line of the property 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, drainage improvements, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 3. Prior to Planning Commission approval, the applicant shall submit a revised site plan showing the driveway alignment directly across from the approved main entrance driveway onto the Menard site;
 4. Prior to Planning Commission approval, the applicant shall submit a revised site plan reflecting the maximum 28 foot driveway width or obtain an exception to the Street Design Criteria Manual for the 40 foot driveway;
 5. Prior to Planning Commission approval, the applicant shall enter into a covenant agreement with the City of Rapid City for the installation of three traffic signals or submit a revised traffic study wherein it is determined that the signals are unnecessary;
 6. Prior to Preliminary Plat approval by the Planning Commission, the plat document shall be revised to show non-access easements as per the Street Design Criteria Manual or an Exception shall be obtained;
 7. 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;
 8. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required;
 9. Prior to issuance of a building permit, the applicant shall provide a site plan identifying the location of all fire hydrants within five-hundred feet of the property. The currently adopted International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus; and
 10. 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 Layout and Preliminary Plat to subdivide the property into two lots. Additionally, the applicant has submitted a Variance to the Subdivision Regulations (File #09SV018) to waive the following requirements to construct: 1) sidewalk and sewer along East North Street; 2) pavement, curb, gutter, sidewalk, water, sewer, and street light conduit along Menard Drive; and 3) pavement, curb, gutter, sidewalk, water, sewer, and street light conduit on a shared access easement to Lots B1 and B2. The applicant submitted a revised Layout and Preliminary Plat adjusting the shared access easement dimension to 40 feet by 40 feet and therefore the subdivision variance requested for the shared access easement to Lots B1 and B2 is no longer necessary. The applicant has also submitted an Initial and Final Planned Commercial

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Development (File #09PD036) to allow Pizza Ranch, a high-turnover sit down restaurant seating 198 customers, on proposed Lot B1.

On March 17, 1997, the City Council approved a Planned Development (File #1573) for a four-phase development. Phase 1 included Menard's Home Improvement Center; Phase 2 included First Western Bank located on the corner of East Anamosa and Eglin Street and the subject property; Phase 3 included approximately 27 acres of future retail area; and Phase 4 is the current site for Menard's outdoor storage facility. The traffic study identified four traffic signal locations: East North Street at East Anamosa Street; East North Street at Menard Drive; Menard Drive at Eglin Street and Eglin Street at East Anamosa Street. During Phase 1, the developer installed the signal at East Anamosa Street as required. The cost of the remaining three signals would be shared between the City of Rapid City and the developers of the "outlot," the "future commercial outlot," and the "future retail area." The signals would be required when traffic warranted the additional signals at the time building permits were issued. The approved phased development also identified four access locations onto Eglin Street for Phase 1, Phase 2 and Phase 3 in order to minimize turning movement conflicts with development on both sides of Eglin Street. The eastern most access to Phase 3 would be constructed when plans for Phase 3 development were submitted for review and approval. An additional access onto East Anamosa Street south of the Menard building was also approved.

The traffic study also indicated that a second access point onto East North Street may be necessary when the entire area was developed. Without the second access to East North Street, the level of service at the intersection of East North Street and East Anamosa Street may not meet acceptable standards. The Traffic Improvement Plan approved in conjunction with the Planned Commercial Development (File #1573) identified that the Menard Drive construction costs would be the responsibility of the developers of the adjacent lots.

On June 2, 1997, the City Council approved a Final Planned Commercial Development (File #1588) for construction of Menards Home Improvement Center. The signal at East North Street and East Anamosa Street was installed with financial cooperation between Menard, Inc., the City of Rapid City and the South Dakota Department of Transportation. Additionally, the four access locations into the Phase 1 development (Menards) were also constructed as approved.

On June 16, 1997, the City Council approved a Layout, Preliminary and Final Plat (File #2427) creating Lots 1 through 6 and Lot H1 all of Tract A of Menard Subdivision and dedicated right-of-way for Menard Drive.

On August 7, 2000, the City Council approved a Layout, Preliminary and Final Plat (File #00PL057) splitting Lot 4 of Menard Subdivision into Lots A, B and C.

On April 16, 2001, the City Council approved a Final Planned Commercial Development (File #01PD011) for construction of the First Western Bank, aligning the access location with the western most approved access onto the Menard's site.

The current application further subdivides Lot B of Menard Subdivision. The property is located northeast of the intersection of East North Street and East Anamosa Street.

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Currently, the property is void of any structural development.

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

East North Street: East North Street is located along the west lot line of the property and is classified as a principal arterial street on the City's Major Street Plan requiring that it be located within a 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, East North Street is located within a 290 foot wide right-of-way and constructed with an approximate 40 foot wide paved surface, curb, gutter, street light conduit and water. To date, sewer and sidewalk have not been constructed along this portion of East North Street. However, because sewer service is available to both Lots B1 and B2 along the east property line in the Eglin Street right-of-way, the extension of sewer service is unnecessary in the East North Street right-of-way immediately adjacent to the subject property. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, construction plans for the sidewalk along East North Street must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Menard Drive: Menard Drive is located along the north lot line of the proposed Lot B2 property and is classified as a collector street requiring that it be located within a minimum 76 foot wide right-of-way and constructed with a minimum 40 foot wide right-of-way, curb, gutter, property line sidewalks, street light conduit, water and sewer. Currently, Menard Drive is located within an 80 foot wide right-of-way and is not constructed. Staff recommends that prior to Preliminary Plat approval, the applicant submit construction plans for Menard Drive for review and approval. In particular, the construction plans must show the street constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, drainage improvements, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Street Name: As noted above, an existing 80 foot wide right-of-way for Menard Drive is currently located along the east lot line of the property. The planned development for the property was approved in 1997. However, Century Road has now been constructed directly across East North Street. In order to avoid having two street names for one street, the southern leg of the street will need to be renamed to coincide with the northern leg. As such, City staff will be submitting a road name change for Menard Drive. Prior to submittal of a Final Plat application, the plat document will need to be revised to show the approved street name for the southern leg of Century Road.

Shared Access Easement: Currently, the proposed plat identifies a 50 foot, southwesterly shift in the 1997 approved access to Lots B1 and B2. Staff recommends that prior to Preliminary Plat approval, the applicant shift the lot line to the northeast in order to align the proposed shared access with the constructed access to the south. The applicant submitted an exception to the Street Design Criteria Manual for this offset approach; however, the exception request has been denied.

Spacing between driveway approaches must be sufficient to allow vehicles to safely queue, accelerate, decelerate, and cross conflicting traffic streams without excessive interference

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with through traffic or traffic using adjacent driveways. The Street Design Criteria Manual specifies a minimum of 125 feet of separation between driveways on collector routes with a 30 mile per hour speed limit. With a high volume collector route (greater than 5,000 vehicles per day) in a commercial area, a 200 foot separation is desirable for driveways. The 2008 traffic count on Eglin Street between Beale and Anamosa Street is approximately 3,000 vehicles per day; however, less than 40 percent of the Menard Subdivision has been constructed. The proposed high-turnover sit-down restaurant is anticipated to generate an additional 700 trips per day. The remaining vacant lots east of East Anamosa Street within the original Menard Planned Commercial Development when fully developed is anticipated to house approximately 202,000 square feet of retail trade and could potentially generate 8,000 vehicle trips per day.

As such, Eglin Street is anticipated to become a high volume collector requiring a minimum of 125 feet of separation if not 200 feet of separation. Therefore, staff recommends that prior to Preliminary Plat approval, the applicant shift the lot line to the northeast in order to align the proposed shared access with the constructed access to the south.

Fire Protection: Based upon future access from Menard Drive, fire hydrants are required at both the intersection of Eglin Drive and Menard Drive and at the shared access easement along Eglin Street between Lots B1 and B2.

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.

Traffic Signals: As previously indicated, the City Council approved the original Planned Development to include three additional traffic signals with the cost allocated among the outlot(s) development. The traffic study indicated that the signals were not necessary until the signal warrants were met. As such, staff recommends that prior to Planning Commission approval, the applicant enter into a covenant agreement with the City of Rapid City for the installation of the three traffic signals on cost share basis or submit a revised traffic study identifying that the signals are unnecessary.

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.

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