

STAFF REPORT  
September 23, 2010

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**No. 10PL061 - Preliminary Plat**

**ITEM 9**

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GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Mall Drive, LLC
REQUEST	<b>No. 10PL061 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	A portion of the NW1/4 of the SE1/4 and a portion of Lot E of the S1/2 of the SE1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Block 1 of Gateway Business Park Subdivision located in the W1/2 of the SE1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 32.39 acres
LOCATION	Between East Mall Drive and Interstate 90 at the southern terminus of Dakota Craft Drive
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	Light Industrial District
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/13/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Preliminary Plat be continued to the **October 7, 2010** Planning Commission meeting.

GENERAL COMMENTS:

**(Update: September 13, 2010. All revised and/or added text is shown in bold print.)**

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**This item was continued at the September 9, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. On September 10, 2010, the applicant met with staff to review the outstanding issues. As of this writing, all of the additional information has not been submitted for review and approval. As such, staff recommends that the Preliminary Plat be continued to the October 7, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.**

The applicant has submitted a Preliminary Plat to create two lots leaving a non-transferable balance. The lots are to be known as Lots 1 and 2 of Block 1, Gateway Business Park Subdivision. In addition, the applicant has submitted an Initial and Final Planned Commercial Development application to construct a 154,064 square foot hotel in the southeast corner of proposed Lot 2 as Phase One of the Gateway Business Park development.

The property is located between East Mall Drive and Interstate 90 at the southern terminus of Dakota Craft Drive. Currently, the property is void of any structural development.

**STAFF REVIEW:**

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

**Water and Wastewater:** The applicant has submitted "preliminary" design reports for the water and wastewater system evaluations. The report states that a final design report will be submitted when the final design is completed. However, final construction plans and analysis are required as a part of the Preliminary Plat application in order to determine that adequate services are available to serve the property and that the system is designed in compliance with City design standards. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit the final analysis and construction plans as required.

**Drainage:** The applicant has submitted a preliminary drainage design report. The preliminary design report states that a final design report will be submitted at the time final design plans are completed. However, a final drainage plan and final report is required to be submitted as a part of the Preliminary Plat application in order to insure that discharge from the proposed improvements will not exceed pre-developed flow rates and/or to insure that local detention facilities are being provided as needed. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit a final drainage design report and plans for review and approval.

The applicant has indicated that drainage from this site will be detained within a detention facility located on property north of East Mall Drive. To date, a drainage easement has not been secured on the adjacent properties in order to convey the drainage to this detention facility. Staff is continuing to meet with the property owner to obtain the easement(s) as needed.

**Traffic Impact Study:** A Traffic Impact Study for Foursquare Property which included East Mall Drive was completed in 2007 and updated in January, 2008. The study identifies appropriate access points along East Mall Drive. In addition, in order to determine the

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projected traffic counts along East Mall Drive, the study identifies the proposed uses of the properties within the area. Prior to Planning Commission approval, the applicant must demonstrate that the proposed street intersections along East Mall Drive are in compliance with the approved Traffic Impact Study and that minimum separation between the streets and existing approaches located along the north side of East Mall Drive is being provided in compliance with the Street Design Criteria Manual. In addition, the applicant's Master Plan must be revised to include proposed use(s) to insure that they comply with the proposed uses identified in the Traffic Impact Study. The applicant has the option of revising the Traffic Impact Study to allow the street connections and the proposed uses if they differ from the approved study. In addition, an Exception to the Street Design Criteria Manual may be needed if adequate separation is not being provided between the existing approaches and the proposed street intersections.

East Mall Drive: East Mall Drive is located along the north lot line and is classified as a principal arterial street requiring that it be located within 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. East Mall Drive is constructed to principal arterial street standards with the exception of a sidewalk along the north side of the street. As such, prior to Preliminary Plat approval by the City Council, the applicant must submit construction plans for East Mall Drive showing a sidewalk along the north side of the street or a Variance to the Subdivision Regulations must be obtained.

Prior to Preliminary Plat approval by the City Council, the plat document must be revised to show a non-access easement along East Mall Drive as it abuts the property or an Exception must be obtained to allow access from the higher order street.

Business Park Drive: Business Park Drive is proposed to be located along the east lot line of the property and is classified as a commercial street requiring that it be located within a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has submitted construction plans showing the street located within a 60 foot wide right-of-way and constructed with a 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer which meets the minimum requirements for a commercial street.

The Building Inspection Official has indicated that proposed street name must be changed to something other than the name of the development. As such, staff recommends that an alternate street name be submitted for review and approval prior to Preliminary Plat approval by the City Council. In addition, the plat document must be revised to show the approved street name.

Interstate 90: Interstate 90 is located along the south lot line and is classified as a principal arterial street requiring that it be located within 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. To date, curb, gutter, sidewalk, street light conduit and water have not been constructed along Interstate 90. As such, prior to Preliminary Plat approval by the City Council, construction plans must be submitted for review and approval showing the installation of curb, gutter, sidewalk, street light conduit and water or a Variance to the Subdivision Regulations must be obtained to waive the requirement to install water and an

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Exception must be obtained to waive the requirement to install curb, gutter, sidewalk and street light conduit.

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 upon submittal of a Preliminary Plat application, 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. In addition, a grading plan must be submitted for review and approval if any subdivision improvements are required.

Cost Estimate: Prior to Preliminary Plat approval by the City Council, a cost estimate must 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. Upon submittal of a Final Plat application, surety must be posted and subdivision inspection fees must 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. 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. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

Staff recommends that the Preliminary Plat be continued to the **October 7, 2010** Planning Commission meeting to allow the applicant to address the outstanding issues as identified above.