

STAFF REPORT
July 25, 2013

No. 13PL063 - Preliminary Subdivision Plan

ITEM 12

GENERAL INFORMATION:

APPLICANT Bob Hainlen Safeway - Denver Division

AGENT Dream Design International, Inc.

PROPERTY OWNER Duane C Pankratz

REQUEST **No. 13PL063 - Preliminary Subdivision Plan**

EXISTING
LEGAL DESCRIPTION

A portion of the S ½ of the SE ¼ Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly intersection of Elk Vale Road right-of-way and Concourse Drive right-of-way, and the point of beginning; Thence, first course: northeasterly, along the southerly edge of said Elk Vale Road right-of-way, curving to the right, on a curve with a radius of 1512.02 feet, a delta angle of 15°10'36", a length of 400.51 feet, a chord bearing of N52°12'17"E, and chord distance of 399.34 feet; Thence, second course: N59°47'38"E, along the southerly edge of said Elk Vale Road right-of-way, a distance of 634.18 feet; Thence, third course: northeasterly, along the southerly edge of said Elk Vale Road right-of-way, curving to the left, on a curve with a radius of 2034.86 feet, a delta angle of 04°07'20", a length of 146.40 feet, a chord bearing of N57°34'36"E, and chord distance of 146.37 feet, to the westerly edge of Jubilee Lane right-of-way; Thence, fourth course: S29°05'05"E, along the westerly edge of said Jubilee Lane right-of-way, a distance of 600.00 feet; Thence, fifth course: S60°54'55"W, a distance of 751.31 feet, to a point on the easterly edge of said Concourse Drive right-of-way; Thence, sixth course: northwesterly, along the easterly edge of said Concourse Drive right-of-way, curving to the left, on a curve with a radius of 377.00 feet, a delta angle of 51°00'17", a length of 335.61 feet, a chord bearing of N60°51'25"W, and chord distance of 324.64 feet; Thence, seventh course: N86°21'29"W, along the easterly edge of said Concourse Drive right-of-way, a distance of 139.42 feet; Thence, eighth course: northwesterly, along the easterly edge of said Concourse Drive right-of-way, curving to the right, on a curve with a radius of 343.00 feet, a delta angle of 36°33'26", a length of 218.85 feet, a chord bearing of N68°04'44"W, and chord distance of 215.16 feet to the point of beginning

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PROPOSED LEGAL DESCRIPTION	Lots 1 through 6 and Tract A of Safeway Shopping Center Subdivision
PARCEL ACREAGE	Approximatey 12.704 Acres
LOCATION	South of Elk Vale Road between Concourse Drive and Jubilee Lane
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Light Industrial District
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Light Industrial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	June 24, 2013
REVIEWED BY	Vicki L. Fisher / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. Prior to submittal of a Development Engineering Plan application, redlined comments shall be addressed or an Exception to the Infrastructure Design Criteria Manual or the Standard Specifications, as applicable, shall be submitted for review and approval. The redlined comments and/or copies of the approved Exceptions shall be submitted with the Development Engineering Plan application;
2. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer;
3. Upon submittal of a Development Engineering Plan application, construction plans for Elk Vale Road showing the installation of a parallel water main on the south side of the street and curb and gutter as well as any improvements identified within the Traffic Impact Study shall be submitted for review and approval or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, construction plans for

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- Jubilee Lane shall be submitted for review and approval showing the installation of curb, gutter, sidewalk, street light conduit, water, sewer, and a minimum pavement width of 34 feet as well as any improvements identified within the Traffic Impact Study or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
5. Upon submittal of a Development Engineering Plan application, construction plans for Concourse Drive shall be submitted for review and approval showing the installation of sidewalk, street light conduit, water and sewer as well as any improvements identified within the Traffic Impact Study or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 6. Upon submittal of a Development Engineering Plan application, construction plans for the proposed water and access easement shall be submitted for review and approval showing the easement with a minimum width of 70 feet and constructed with a minimum pavement width of 26 feet, curb, gutter, sidewalk, street light conduit, water and sewer as well as any improvements identified within the Traffic Impact Study or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 7. Upon submittal of a Development Engineering Plan application, access to proposed Tract A shall be identified and construction plans shall be submitted showing the access constructed in compliance with the Infrastructure Design Criteria Manual or an Exception shall be obtained. If an Exception is obtained a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 8. Upon submittal of a Development Engineering Plan application, construction plans for the access aisle shown across the northern portion of proposed Lot 5 shall be submitted for review and approval. In particular, the construction plans shall show the access aisle located within a minimum 70 foot wide easement and/or right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained or the access aisle shall be removed from the plat document. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 9. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show ingress and egress in compliance with the Infrastructure Design Criteria Manual to the proposed loading dock area shown on proposed Lot 1. In addition, construction plans shall be submitted for review and approval showing the access aisle located within a minimum 70 foot wide easement and/or right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained or the loading dock area and/or lot layout shall be designed to eliminate the need to provide access across adjacent lots. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 10. Upon submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval;
 11. Upon submittal of a Development Engineering Plan application, a plat document shall be submitted identifying a non-access easement along Elk Vale Road and all corner lots in compliance with the Infrastructure Design Criteria Manual or an Exception shall be obtained; If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;

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12. Upon submittal of a Development Engineering Plan application, water and sewer plans prepared by a Registered Professional Engineer showing the extension of mains and service lines shall be submitted for review and approval. The water and sewer plans shall be designed in compliance with the Rapid Valley Sanitary District Design Criteria and the City's Infrastructure Design Criteria Manual or Exception(s) shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application. The water plans shall demonstrate that fire flows can be achieved at all proposed lots;
13. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Racetrack Draw Drainage Basin and the Western Pennington Flood Management Commission adopted policy shall be submitted for review and approval. The drainage plan shall also address the proposed stormwater collection system crossing multiple property lines. In addition, the drainage plan shall be in compliance with Chapter 4 of the Infrastructure Design Criteria Manual Storm Water Drainage and Storm Water Quality Manual Post-Construction water quality requirements. An agreement securing maintenance and ownership of the stormwater facility located on proposed Tract A shall also be recorded and a copy submitted with the Final Plat application;
14. Upon submittal of a Development Engineering Plan application, geotechnical analysis signed and stamped by a Professional Engineer for public roadways and pavement design shall be submitted for review and approval;
15. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval
16. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Transportation shall be obtained for any modifications to Elk Vale Road;
17. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
18. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
19. 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; and,
20. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

GENERAL COMMENTS: The applicant has submitted a Preliminary Subdivision Plan application to create 7 lots, leaving an unplatted non-transferable balance. The lots range in size from 1.0 acres to 5.02 acres and will be known as Lots 1 through 6 and Tract A of Safeway Shopping Center Subdivision.

The property is located south of Elk Vale Road between Concourse Drive and Jubilee Lane. Currently, the property is void of any structural development.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the installation of public improvements. Approval of a Preliminary Subdivision Plan by the City

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Council is required before an applicant can proceed with Development Engineering Plans and a Final Plat application for all or part of the area within the Preliminary Subdivision Plan application.

STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Zoning: The property is currently zoned General Commercial District. The applicant has submitted a conceptual site plan identifying the future construction of a Safeway grocery store on proposed Lot 1 and a fueling center on proposed Lot 3. Even though future land use is typically not a platting issue, staff has reviewed the conceptual site plan and noted a few issues in order to assist the applicant in determining if the proposed lot size and layout are adequate. Upon review, it appears that the fueling center may be short one parking space based on the size of the facility. In addition, it appears that sufficient open area is not being provided on proposed Lot 1 in order to provide landscaping in compliance with the City's Landscape Regulations. It appears that the lot coverage from the proposed grocery store structure and the proposed paved parking area does not leave sufficient area for landscaping, drainage, stormwater quality control, etc. The site plan identifies a loading dock area along the south side of the grocery store but does not show that access is being secured on the adjacent lots in order for trucks to access the loading dock. It should also be noted that additional information is needed regarding the proposed "outdoor seating area" along the north side of the Safeway store to determine if adequate parking is being provided for all of the proposed uses on proposed Lot 1. The site plan also identifies a joint identification sign on proposed Lot 1, adjacent to Elk Vale Road. Please note that the design and location of the sign must be in compliance with Chapter 17.50.080 of the Rapid City Municipal Code. Other than securing access as noted, the balance of the issues will be addressed as a part of the building permit and sign permit process.

Traffic Impact Study: Chapter 2.17.1.2 of the Infrastructure Design Criteria Manual states that a Traffic Impact Study is required for any nonresidential development proposal when trip generation during the peak hour is expected to exceed one hundred vehicles. As such, upon submittal of a Development Engineering Plan application, a Traffic Impact Study must be submitted for review and approval.

Elk Vale Road: Elk Vale Road is located along the north 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 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 within an approximate 250 foot wide right-of-way and constructed with an approximate 48 foot wide paved surface, water on the north side of the street and street light conduit. Upon submittal of a Development Engineering Plan application, construction plans for Elk Vale Road showing the installation of a parallel water main on the south side of the street as required by Figure 3.1 of the Infrastructure Design Criteria Manual and curb and gutter as well as any improvements identified within the Traffic Impact Study must be submitted for review and approval or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

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Elk Vale Road is a State highway. As such, prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Transportation must be obtained for any modifications to Elk Vale Road;

Jubilee Lane: Jubilee Lane is located along the east lot line and is classified as a collector street on the City's Major Street Plan requiring that it be located within a minimum 68 foot wide right-of-way and constructed within a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Jubilee Lane is located within an 80 foot wide right-of-way and constructed with an approximate 22 foot wide paved surface. As such, upon submittal of a Development Engineering Plan application, construction plans for Jubilee Lane must be submitted for review and approval showing the installation of curb, gutter, sidewalk, street light conduit, water, sewer, and a minimum pavement width of 34 feet as well as any improvements identified within the Traffic Impact Study or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Concourse Drive: Concourse Drive is located along the west lot line and is classified as a minor arterial street on the City's Major Street Plan 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. Currently, Concourse Drive is located within a 100 foot right-of-way and constructed with a 36 foot wide paved surface, curb, and gutter. Upon submittal of a Development Engineering Plan application, construction plans for Concourse Drive must be submitted for review and approval showing the installation of sidewalk, street light conduit, water and sewer as well as any improvements identified within the Traffic Impact Study or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Internal Access: The plat identifies a proposed water and access easement extending through the middle of the property between Concourse Drive and Jubilee Lane. The easement is classified as a commercial street. As such, upon submittal of a Development Engineering Plan application, construction plans for the proposed water and access easement must be submitted for review and approval showing the easement with a minimum width of 70 feet and constructed with a minimum pavement width of 26 feet, curb, gutter, sidewalk, street light conduit, water and sewer as well as any improvements identified within the Traffic Impact Study or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

The plat also identifies an access aisle extending across the northern portion of proposed Lot 5 to provide internal circulation between the proposed fueling center and the Safeway Grocery Store parking lot. The access aisle is also classified as a commercial street. As such, upon submittal of a Development Engineering Plan application, the plat document must be revised to show the access aisle located within a minimum 70 foot wide easement and/or right-of-way and construction plans must be submitted showing the installation of a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception must be obtained or the access aisle must be removed from the plat document. If an Exception is obtained, a copy of the approved Exception must be submitted

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with the Development Engineering Plan application.

Upon submittal of a Development Engineering Plan application, the plat document must also be revised to show ingress and egress in compliance with the Infrastructure Design Criteria Manual to the proposed loading dock area shown on proposed Lot 1. In addition, construction plans must be submitted for review and approval showing the access aisle located within a minimum 70 foot wide easement and/or right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception must be obtained or the loading dock area and/or lot layout must be designed to eliminate the need to provide access across adjacent lots. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Tract A: The plat identifies Tract A as a stormwater management area. However, the plat does not identify access to proposed Tract A. As such, upon submittal of a Development Engineering Plan application, access to proposed Tract A must be identified and construction plans must be submitted showing the access constructed in compliance with the Infrastructure Design Criteria Manual or an Exception must be obtained. If an Exception is obtained a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Water/Sewer: The property is located within the Rapid Valley Sanitary District service boundary. Rapid Valley Sanitary District staff have reviewed the conceptual utility plan and noted that it is not designed in conformance with their design standards. In particular, the sizes and locations of water and sewer mains and services are not acceptable. As such, upon submittal of a Development Engineering Plan application, water and sewer plans prepared by a Registered Professional Engineer showing the extension of mains and service lines in compliance with the Rapid Valley Sanitary District Design Criteria and the City's Infrastructure Design Criteria Manual must be submitted for review and approval or Exception(s) must be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) must be submitted with the Development Engineering Plan application. The water plans must demonstrate that fire flows can be achieved at all proposed lots.

Drainage: The property is located within the Racetrack Draw Drainage Basin. In 1999, the Western Pennington Flood Management Commission adopted a policy for new development within the Racetrack Draw and County Heights Drainage Basins. The policy states that "until adequate detention storage is provided in the upstream portions of the two referenced drainage basins all new development shall not increase flows above existing conditions". To date, these issues have not been resolved. As such, the applicant must detain all flows on site.

Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Racetrack Draw Drainage Basin Plan and the Western Pennington Flood Management Commission adopted policy must be submitted for review and approval. The drainage plan must also address the proposed stormwater collection system crossing multiple property lines. In addition, the drainage plan must be in compliance with Chapter 4 of the Infrastructure Design Criteria Manual Storm Water Drainage and Storm Water Quality Manual Post-Construction water quality requirements. An agreement securing maintenance

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and ownership of the stormwater facility located on proposed Tract A must also be recorded and a copy submitted with the Final Plat application.

Stormwater Management Plan: The City Council has adopted a Stormwater Quality Manual and an Infrastructure Design Criteria Manual which provide criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure Design Criteria Manual be submitted for review and approval. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

Development Agreement: Section 1.16.1 of the Infrastructure Development Criteria Manual states that a Development Agreement may be required for construction approval. A Development Agreement is a tool which will provide the City and the developer with an instrument to document the financial and procedural requirements for the development of public improvements. Staff recommends that prior to approval of the Development Engineering Plan application, a Development Agreement be entered into with the City for all public improvements, if applicable.

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. 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.

Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.