

STAFF REPORT

May 23, 2002

No. 02PL034 - Layout Plat

ITEM 9

GENERAL INFORMATION:

PETITIONER	Jeffrey L. Devine
REQUEST	No. 02PL034 - Layout Plat
EXISTING LEGAL DESCRIPTION	Tract B less Lot H1 of Tract B located in SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 located in SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.98 acres
LOCATION	South of East Philadelphia Street and east of Cambell Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District w/Planned Commercial Development
South:	Heavy Industrial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	03/25/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Layout Plat to create two lots be continued to the **June 6, 2002** Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

This item has been continued twice since the April 25, 2002 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of May 12, 2002. All revised or added text is shown in bold print. The applicant has submitted a Layout Plan to subdivide a 4.98 acre parcel into two lots to be known as Lots 1 and 2 of Devine Subdivision. The proposed lots are 1.490 acres and 3.486 acres, respectively. The plat also proposes to create a 50 foot wide right-of-way utility

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easement extending north to south across proposed Lots 1 and 2.

The property is located approximate 365 feet east of the Philadelphia Street/Cambell Street intersection on the south side of Philadelphia Street. The property is "L" shaped and extends west along the southern third of the property to abut with Cambell Street for a distance of 151 feet.

Currently, J & J Truck Auto Body is located on proposed Lot 2 and an unoccupied structure is located on proposed Lot 1, adjacent to Cambell Street.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail that is provided. All specific details of the subdivision may not be addressed at the Layout Plat but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the City Code or the Street Design Criteria Manual will require a formal variance request or a special exception, whichever is applicable.

STAFF REVIEW:

During the review of the Layout Plat request, staff identified a number of concerns that must be addressed in order for the project to be approved.

Structural Site Plan: As previously indicated, existing development is currently located on both of the proposed lots. A structural site plan must be submitted for review and approval to determine if and/or how the proposed plat will impact the existing development located on the site. Staff is recommending that the Layout Plat be continued to allow the applicant to submit a site plan as identified.

Topographic Information: The Subdivision Regulations state that topographic information must be submitted upon Layout Plat submittal. To date, topographic information has not been submitted for review and approval. As such, the Engineering Division is recommending that the Layout Plat be continued to allow the applicant to submit topographic information as required.

Grading Plan and Drainage Plan: The Engineering Division has indicated that a grading plan and a drainage plan must be submitted for review and approval. In addition, the plat must be revised to show drainage easements as necessary. The Engineering Division anticipates that drainage will be routed along the south lot line of Lot 2 to Cambell Street. The capacity of the existing storm sewer along Cambell Street must be calculated to determine if it can meet the design plan and flows to be generated from the subject property. In addition, on-site detention may be necessary if the storm sewer capacity along Cambell Street cannot accommodate the flows. Staff is recommending that a grading and drainage plan be submitted for review and approval and that the plat be revised to show drainage easements as needed upon Preliminary Plat submittal.

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Easement Identification: The proposed plat identifies an existing 50 foot wide right-of-way utility easement extending north to south across Lots 1 and 2. The plat also identifies the dedication of a second 50 foot wide right-of-way utility easement extending north to south across the two lots located directly west of the existing easement. A note on the plat identifies that the *proposed* right-of-way utility easement shall be located "25 feet on each side of the existing power line". It is unclear if the proposed right-of-way utility easement will replace the existing right-of-way utility easement or if two right-of-way utility easements will be located on the property. The right-of-way utility easement(s) will also serve as legal access to proposed Lot 1 and must be constructed to industrial street standards with a minimum 59 foot wide right-of-way and a 26 foot wide paved surface. Staff is recommending that the applicant clarify whether the existing easement will be vacated and that road construction plan(s) be submitted accordingly upon submittal of a Preliminary Plat. If the existing easement is to be vacated, all of the affected utility companies must be notified to determine if they concur with the proposed easement vacation.

Zoning: The west 350 feet of proposed Lot 1 is zoned General Commercial District with the balance being zoned Heavy Industrial District. All of proposed Lot 2 is zoned Heavy Industrial District. The applicant should be aware that development and/or redevelopment of proposed Lot 1 will be limited to those permitted uses within each zoning district as identified on the lot.

Water and Sewer Plans: The Engineering Division has indicated that a 20 inch water main is currently located in East Philadelphia Street. Upon Preliminary Plat submittal, a water and sewer plan, prepared a by a Registered Professional Engineer, must be submitted for review and approval. The plans must show existing and proposed water and sewer lines and the extension of service lines to the subject property.

East Philadelphia Street: East Philadelphia Street is located along the north lot line of proposed Lot 2 and is classified as a collector road on the Major Street Plan. The Street Design Criteria Manual requires a minimum 76 foot right-of-way for a collector road. Currently, East Philadelphia Street has a 30 foot right-of-way width. It also appears that the existing J & J Auto Body Store is located directly adjacent to East Philadelphia Street. The Engineering Division has indicated that the plat must be revised to provide 23 feet of additional right-of-way along the north lot line with the exception of the area currently occupied by the existing building. In addition, the applicant must sign an agreement that if the building or that portion of the building located within the north 23 feet of proposed Lot 2 is ever removed, then the applicant will dedicate the area as public right-of-way. Prior to Final Plat approval, the plat must be revised to provide an additional 23 feet of right-of-way and the agreement must be signed as identified or a Variance to the Subdivision Regulations must be obtained waiving the requirement.

Cambell Street: Cambell Street is located along the west lot line of proposed Lot 1 and is classified as a principal arterial road on the Major Street Plan. The Street Design Criteria Manual requires a minimum 100 foot right-of-way for a minor arterial road. Currently, Cambell Street has an 80 foot right-of-way width. Prior to Final Plat approval, the plat must be revised to provide an additional 10 foot of right-of-way along Cambell Street or a

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Variance to the Subdivision Regulations must be obtained waiving the requirement.

As previously indicated, Cambell Street is located along the west lot line of proposed Lot 1. In addition, the plat identifies a 50 foot wide right-of-way utility easement extending south from East Philadelphia Street across Lots 1 and 2. The Subdivision Regulations states that access to a property must be taken from the lesser order street. As such, staff is recommending that the plat be revised to show a non-access easement along Cambell Street and that the 50 foot wide right-of-way utility easement serve as exclusive access to proposed Lot 1. This will require that the 50 foot wide easement be identified as a public right-of-way or a public access and utility easement. In either case, the access road will need to be built to industrial street standards. Staff is recommending that the plat be revised accordingly prior to Preliminary Plat approval.

Plat Labeling: The Register of Deed's Office has indicated that the plat title must be revised to delete "located in" and that the following be included in the "formerly" description: "SW1/4 SW1/4, Section 32, T2N, R8E, BHM". Staff is recommending that the plat be revised as identified prior to Preliminary Plat approval.

To date, the applicant has not submitted topographic information and a structural site plan in order to allow staff to adequately review the Layout Plat. As such, Staff is recommending that the Layout Plat be continued to the June 6, 2002 Planning Commission meeting to allow the applicant additional time to submit the information.