

STAFF REPORT
August 26, 2004

No. 04PL106 - Preliminary Plat

ITEM 29

GENERAL INFORMATION:

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| PETITIONER | Renner & Associates for First Western Bank |
| REQUEST | No. 04PL106 - Preliminary Plat |
| EXISTING LEGAL DESCRIPTION | Lots 1 thru 16, Lots 21 thru 28, Lots A thru F, and vacated alley, all located in Block 4 of Riverside Addition, and a portion of Eleventh Street Right-of-Way located in SE1/4 of SE1/4, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Tract A of Block 4, Riverside Addition located in SE1/4 of SE1/4, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 2.674 Acres |
| LOCATION | At the southeast corner of the intersection of Omaha Street and West Boulevard |
| EXISTING ZONING | General Commercial District (PCD) |
| SURROUNDING ZONING | |
| North: | General Commercial District/Flood Hazard District |
| South: | Light Industrial District |
| East: | General Commercial District |
| West: | General Commercial District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 7/30/2004 |
| REVIEWED BY | Vicki L. Fisher / David L. Johnson / Renee Catron-Blair |

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval;
2. Prior to Preliminary Plat approval by the City Council, the construction drawings shall be revised as necessary and submitted for review and approval to address City review comments. In particular, water and sanitary sewer improvement plans need to be revised to comply with City standards and to coordinate with other infrastructure development.
3. Prior to Preliminary Plat approval by the City Council, construction drawings showing new sidewalk, where necessary, along Rapid Street, Eleventh Street, and West Boulevard

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- shall be submitted for review and approval;
4. Prior to submittal of a Final Plat application, an approach permit shall be obtained from the South Dakota Department of Transportation for the proposed approach along Omaha Street. In addition, the applicant shall provide signage identifying that construction of the approach functions as a right-in/right-out approach or surety shall be posted for the improvement upon submittal of a Final Plat application;
 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. Upon submittal of a Final Plat application, the plat document shall be revised to show access restrictions on all lot lines except at approved approach locations;
 7. Upon submittal of a Final Plat application, the plat document shall be revised to eliminate the vacation of a portion of the right-of-way on Eleventh Street, or the adjacent property owner's signature on a vacation request shall be obtained; and,
 8. Upon submittal of a Final Plat application, the plat document shall be revised to include the correct prior legal description of the property being platted.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to combine the subject property into one lot. The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to construct street light conduit and water along Omaha Street, West Boulevard and street light conduit and sewer along Omaha Street, West Boulevard and Rapid Street as they abut the subject property. (See companion item #04SV047.)

On July 25, 2000, the City Council approved an Initial Planned Commercial Development to allow a bank to be constructed on the north half of the subject property. The Layout Plat was approved with stipulations on January 22, 2004. Other approved applications on January 22, 2004 were a Planned Commercial Development to increase the boundaries of the development to include the southern half of the block and a rezoning request to rezone the southern half of the block from Light Industrial District to General Commercial District. The property is located in the southwest corner of the Omaha Street/West Boulevard intersection. Currently, the property is void of any development with the exception of two billboards located on the property.

STAFF REVIEW:

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

Water and Sewer: An existing sanitary sewer main, located in the north half of the Eleventh Street frontage, is functionally deficient due to a conflict with the 54-inch Storm Sewer in the same street. In addition, no sewer main is in place along the south portion of the frontage. Construction plans have been submitted showing the installation of a sanitary sewer main at a lower elevation to eliminate the conflict, and completion of the main to the south property line at Rapid Street. This new main will provide service to the subject property. The City will be concurrently completing sewer improvements downstream (North of Omaha Street) to assure that the lowered sewer main is operational at the time of completion of subdivision development. The construction plans need revisions to assure the work meets City design standards, and that the work scope and schedule are coordinated with the improvements to be completed by the City.

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Water mains are presently in place on the entire Omaha Street, Rapid Street, and West Boulevard frontages of the property. The main in the Rapid Street right-of-way does not meet design standards in that hydrant spacing exceeds the maximum allowed separation between hydrants. A hydrant is in place near the Southwest Property corner. A hydrant is needed near the Southeast corner of the property to meet the standard of 450 feet between hydrants (to the opposite side of West Boulevard would result in a hydrant spacing of about 590 feet). The Fire Department has indicated that this hydrant could serve as a hydrant with adequate proximity to the Fire Department connection for the currently proposed site development and that no additional on-site hydrants would be necessary. The development at the site could obtain service from this location, or a separate tap to the main may be used.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s) or a Variance to the Subdivision Regulations must be obtained waiving the requirement to install a central water system. In addition, all streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access.

Utilities: The site plan shows over head power and telephone lines running through the proposed building site. Utilities must be relocated and any existing utility easements must be vacated in either the portion where the proposed building is located, or the entire easement, accordingly. Plans for private utilities (such as electric power, gas, and communications) must be included with the revised construction plans.

Sidewalk: Construction plans must be submitted for review and approval showing the construction of sidewalk meeting City specifications as necessary along Rapid Street, Eleventh Street, and West Boulevard. Some areas along Rapid Street and Eleventh Street have existing sidewalk. Sidewalks in good repair and meeting City specifications may continue to be used. Other portions are in disrepair and must be reconstructed.

Eleventh Street: The Preliminary Plat document identifies the proposed vacation of the eastern ten feet of the Eleventh Street right-of-way as it abuts the subject property. Eleventh Street is classified as a commercial street requiring a minimum 59 feet of right-of-way. Currently, Eleventh Street is located within an 80 foot wide right-of-way. Vacation requests must be signed by all abutting property owners. To date, the owner of the property on the opposite (west) side of Eleventh Street has not signed a vacation request. As such, staff is recommending that upon submittal of a Final Plat application the plat document shall be revised, eliminating the vacation of right-of-way, or that the adjacent property owner's signature on a vacation request be obtained. In addition, the plat document must be revised to show access restrictions along this street.

Currently, Eleventh Street does not have a water main located in the right-of-way. Staff review indicates that adequate water mains exist. This situation is unusual, particularly as the area surrounding is currently built out and water service does not need to be extended. Staff would recommend the applicant sign a waiver of right to protest any future installation of the water line in Eleventh Street. This would insure that the water line could be

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constructed, should the surrounding properties redevelop.

West Boulevard: The plat document must be revised to show access restrictions along this street. In addition, a new sidewalk drawing must be submitted for review and approval within the West Boulevard right-of-way as indicated by the applicant's Engineer.

Omaha Street: The applicant has indicated that an approach permit has been requested from the South Dakota Department of Transportation for the proposed approach along Omaha Street. In addition, the applicant must provide signage identifying that construction of the approach functions as a right-in/right-out approach. The plat document must be revised to show access restrictions along Omaha Street except at approved approach locations.

Site Plan: Approval of the Preliminary Plat does not indicate approval of the site plan showing future development on the site. In particular, once the use of the structure is identified, adequate parking, including stacking lanes for the drive thru aisles must be provided. Staff has been made aware that a landscaping, lighting and signage package have been submitted for review and approval as a separate Planned Development application that will be considered by the Planning Commission on September 9, 2004.

Plat: The plat document shall be revised to include the correct prior legal description of the property being platted. In particular, the plat document title must be revised to read, (formerly Lots 1 thru 16 less Lot H1, Lots 21 thru 28, Lots...) The plat document must be revised to show access restrictions on all lot lines except at approved approach locations and be revised, eliminating the vacation of right-of-way, or that the adjacent property owner's signature on a vacation request be obtained.

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