

STAFF REPORT  
May 10, 2007

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**No. 07PL059 - Layout Plat**

**ITEM 46**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers, Inc. for Alan A. Neiger
REQUEST	<b>No. 07PL059 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 5 (less Lot H1) and the balance of Block 5 of Highland Park Subdivision, located in the NE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 Revised and Lot 2 of Block 5 of Highland Park Subdivision, located in the NE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.44
LOCATION	Southwest of the intersection of Highland Park Drive and Mount Rushmore Road
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	Office Commercial District (Planned Commercial Development)
East:	General Commercial District
West:	Low Density Residential District
PUBLIC UTILITIES	Public Water and Sewer
DATE OF APPLICATION	4/13/2007
REVIEWED BY	Jonathan Smith / Emily Fisher

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, a grading and erosion plan shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat application, drainage information shall be submitted for review and approval. In particular, the drainage plan shall include calculations demonstrating drainage flows which will be adequately conveyed from the site without

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- impacting downstream property and streets, flow direction, collection system and required detention. In addition the plat document shall show any required drainage easements.
3. Upon submittal of a Preliminary Plat application, the applicant shall submit information identifying the location of all proposed and existing water and sewer mains, and service lines;
  4. Upon submittal of a Preliminary Plat application, the applicant shall submit plans prepared by a Registered Professional Engineer identifying the location of utilities, storm drainage, street light conduit, curb, gutter, and sidewalk for all proposed access easements and streets, or obtain a Variance to the Subdivision Regulations;
  5. Upon submittal of a Preliminary Plat application, the applicant shall submit for review and approval a geotechnical report, including pavement design;
  6. Upon submittal of Preliminary Plat application, the applicant shall provide design details prepared by a Registered Professional Engineer that demonstrates that the shared approach for Lot 1 and Lot 2 meets City design standards;
  7. Upon submittal of a Preliminary Plat application, the applicant shall revise the boundary survey document to identify all parking spaces for Lot 2, including handicap and van accessible parking spaces. The revised plan shall demonstrate that the minimum number of parking spaces as identified in Section 17.50.20 have been met for the current use;
  8. Upon submittal of a Preliminary Plat application the applicant shall revise the plat document to show a non access easement where Mount Rushmore Road abuts Lot 1, and a non access easement where Highland Park Drive abuts Lot 1 a distance of 85 feet, as measured from the northeast property corner of Lot 1;
  9. Upon submittal of a Final Plat, the applicant shall remove the existing structure on Lot 1. The applicant is required to obtain all necessary permits from the Building Inspection Department prior to demolition;
  10. Prior to approval of a Preliminary Plat application the applicant shall obtain a Major Amendment to a Planned Commercial Development to allow for a minimum front yard setback of 11.5 feet on Lot 2;
  11. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  12. 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,
  13. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

**GENERAL COMMENTS:**

The applicant has submitted a Layout Plat request to relocate existing lot lines between two lots. The applicant is proposing to create a 1.31 acre lot know as Lot 1, and an 8.44 acre lot known as Lot 2. The subject property is currently zoned General Commercial with a Planned Commercial Designation (#99PD003). Current use of the subject property is a motel. The applicant's site plan identifies structural development on both proposed lots. A Variance to the Subdivision Regulations (#07PL022) has been filed in conjunction with this Layout Plat application.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major

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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 provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval 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 Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or a special exception whichever is applicable.

STAFF REVIEW:

Staff has reviewed the Layout Plat request and noted the following considerations:

Lot 1:

The applicant's site plan identifies a 1.31 acre parcel designated as Lot 1. Lot 1 abuts Highland Park Drive and Mount Rushmore Road. Currently an extension of the existing motel consisting of ten units is located on Lot 1. The applicant has noted on the site plan that these units currently located on Lot 1 are to be removed.

Highland Park Drive is identified as a commercial street. A minimum 26 feet of pavement and 59 feet of right-of-way are required for a commercial street without on-street parking. The applicant's site plan identifies several different pavement widths along Lot 1 with no width exceeding 35 feet, and no pavement width less than 21 feet. In addition, the site plan identifies an existing 50 feet of right-of-way width. The applicant is required to dedicate half of the required additional 9 feet of right-of-way, and the additional width of pavement to meet the minimum width of 26 feet in the areas along Lot 1, or obtain a Variance to the Subdivision Regulations. Mount Rushmore Road is classified on the Major Street Plan as a Principal Arterial Street. A minimum 100 feet of right-of-way, and 12 feet of pavement per lane is required. Staff has noted that Mount Rushmore Road currently meets these standards where it abuts Lot 1.

As part of the platting process the applicant is required to install curb, gutter, sidewalk, water, sewer, and street light conduit. The applicant's site plan does not identify water, sewer, sidewalk, curb, gutter, or the location of streetlights. Staff has noted that streetlights, and water are in place along Mount Rushmore Road. The applicant is required to install curb, gutter, sewer, and sidewalk along Mount Rushmore Road, or obtain a Variance to the Subdivision Regulations. Staff has noted that water is in place along Highland Park Drive, and sewer is currently in place along Highland Park Drive to the lot line of proposed Lot 1. The applicant is required to install curb, gutter, streetlight conduit, and sidewalk along Highland Park Drive or obtain a Variance to the Subdivision Regulations.

Upon submittal of a Preliminary Plat the applicant shall submit construction plans prepared by a Registered Professional Engineer showing sidewalk, curb, gutter, street light conduit, a minimum pavement width of 26 feet, and the dedication of an additional 4.5 feet right-of-way width for Highland Park Drive along Lot 1, or obtain a Variance to the Subdivision Regulations.

Lot 2:

The applicant's site plan identifies an 8.12 acre lot designated as Lot 2. Lot 2 abuts Highland Park Drive. Currently a portion of an existing motel is located on the Lot 2.

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The applicant's site plan shows the street pavement width as 21 feet along Lot 2, and a right-of-way width of 50 feet. A minimum 26 feet of pavement and 59 feet of right-of-way are required for a commercial street without on-street parking. The applicant is required to dedicate half of the required nine extra feet of right-of-way, and 5 feet of additional pavement. As part of the platting process the applicant is required to install curb, gutter, sidewalk, water, sewer, and street light conduit. The applicant's site plan does not show existing water, sewer, curb, and gutter, or the location of streetlights. Staff has noted that water is in place along Highland Park Drive, and sewer is in place to the lot line of Lot 1. The applicant is required to extend the sewer to the end of the lot line of Lot 2, and construct curb, gutter, sidewalk, and street light conduit, or obtain a Variance to the Subdivision Regulations.

Upon submittal of a Preliminary Plat application the applicant shall submit construction plans designed by a Registered Professional Engineer identifying curb, gutter, street light conduit, the extension of the sewer main to the lot line of Lot 2, a minimum pavement width of 26 feet, the dedication of 4.5 additional feet of right-of-way for Highland Park Drive, or obtain a Variance to the Subdivision Regulations.

The applicant's site plan identifies a 15.5 feet setback from the right-of-way line to the front of the existing structure. A minimum front yard setback of 25 feet is required in the General Commercial Zoning District. Staff has noted that this front yard setback was approved as part of the Planned Commercial Development Final Development Plan. However as part of the platting process the applicant is required to dedicate 4.5 feet of additional right-of-way, or obtain a Variance to the Subdivision Regulations. The dedication of additional right-of-way will reduce the front yard setback to 11.5 feet. Any change in the front yard setback line will require the applicant to obtain a Major Amendment to a Planned Commercial Development.

**PARKING:**

The applicant's site plan does not identify any parking spaces. As a result of the platting of Lot 1, Lot 2 will lose parking spaces that are associated with the motel use. The applicant's site plan identifies office use associated with the motel, as well as dwelling units. Section 17.50.270 requires one parking space per dwelling room, and five spaces per 1000 gross square feet of office space. Upon the submittal of a Preliminary Plat application the applicant shall revise the boundary survey document to identify all parking spaces including all handicap and van accessible parking spaces, and demonstrate that the minimum parking requirements as outlined in Section 17.50.270 have been met for the current use.

**APPROACH:**

The applicant's site plan identifies a 40 foot common shared access along Highland Park Drive at the boundary lot line of Lot 1 and Lot 2. Upon submittal of a Preliminary Plat application the applicant shall provide details prepared by a Registered Professional Engineer that demonstrates that the approach meets City design standards.

**SIGNAGE:**

The applicant's site plan identifies a 25 foot pole sign as being located within the right of way of Highland Park Drive. The applicant must remove or relocate the encroaching sign. Relocating the sign will require a Sign Permit.

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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. 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.

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