

STAFF REPORT
July 26, 2007

No. 07PL088 - Preliminary Plat

ITEM 55

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying for Best Buy Stores
REQUEST	No. 07PL088 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot 8R of Block 3, located in the NW1/4 NE1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Best Subdivision, located in the NW1/4 NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.01 acres
LOCATION	2320 North Haines Avenue
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/29/2007
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, the applicant shall submit construction plans for the access easements for review and approval or obtain a Variance to the Subdivision Regulations;
2. Prior to Preliminary Plat approval by the Planning Commission, a revised plat document shall be submitted for review and approval providing a 100 foot non-access easement along the east side of the proposed Lot 2 of Best Subdivision;
3. Prior to Preliminary Plat approval by the City Council, design plans shall be submitted for the sewer improvements or a Variance to the Subdivision Regulations shall be obtained.

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- The plat document must also be revised to provide utility easements as needed;
4. Prior to Preliminary Plat approval by the Planning Commission, water plans demonstrating that required domestic and fire flows are being provided must be submitted for review and approval. The plat document must also be revised to provide utility easements as needed;
 5. Prior to Preliminary Plat approval by the Planning Commission, a revised plat document shall be submitted for review and approval providing a drainage easement for the existing storm sewer near the southwest corner of the proposed Lot 2 of Best Subdivision;
 6. 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,
 7. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval.

GENERAL COMMENTS:

This Preliminary Plat application proposes to plat Lots 1 and 2 of Best Subdivision. The plat will create one 0.51 acre lot and one 4.40 acre lot. The applicant has also submitted a Variance to the Subdivision Regulations (#07SV036). The property is located northeast of Haines Avenue and Disk Drive. The property in question is zoned General Commercial with a Planned Commercial Development. Currently Best Buy is located on the property.

On December 22, 1999 City Council approved a Final Plat (#99PL122) for the property with stipulations.

On May 8, 2003 Planning Commission approved a Planned Commercial Development – Final Development Plan (03PD015) for the property with stipulations.

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

Haines Avenue: Haines Avenue is located along the west lot line of the property. Haines Avenue is identified as an arterial street on the Major Street Plan requiring a minimum 100 foot of right-of-way. The developer is responsible for constructing an arterial street to a collector street standard. Any expansion of the road beyond a collector street standard is considered over sizing and is not the developer's responsibility. Currently, Haines Avenue is located in a 100 foot wide right-of-way and is constructed with a 54 foot wide paved surface, curb, gutter, street light conduit, water, sewer and sidewalk meeting the minimum requirement of the Rapid City Street Design Criteria Manual.

Disk Drive: Disk Drive is located along the south lot line of the property. Disk Drive is identified as a collector street on the Major Street Plan requiring that it be located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface with parking on one side of the street, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Disk Drive is located in a 100 foot wide right-of-way and is constructed with a 48 foot wide paved surface, curb, gutter, street light conduit, water, sewer and sidewalk meeting the minimum requirement of the Rapid City Street Design Criteria Manual.

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East-West Access Easement: An access easement is located along the north lot line of the property and is classified as a commercial/industrial street requiring that the street be located in a minimum 59 foot wide right-of-way or easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, the access easement is located in a 48 foot wide easement and is constructed with a 27 foot wide paved surface, curb, gutter, street light conduit, water, sewer and sidewalk on the south side. The applicant has submitted a Variance to the Subdivision Regulations (#07SV036) to waive the requirement to dedicate additional easement and to waive the requirement to install sidewalk on the north side of the access easement. Staff recommends that prior to City Council approval, the applicant submit construction plans for the access easement for review and approval or obtain a Variance to the Subdivision Regulations.

North-South Access Easement: The applicant is proposing to dedicate an access easement for the existing driveway along the east side of the proposed Lot 2 of Best Subdivision that will serve two lots. The easement is classified as a commercial/industrial street requiring that the street be located in a minimum 59 foot wide right-of-way or easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer. The applicant is proposing that the access easement be located in a 50 foot wide easement and is currently constructed with a 26 foot wide paved surface, curb, and gutter. The applicant has submitted a Variance to the Subdivision Regulations (07SV036) to waive the requirement to dedicate additional easement width and to waive the requirement to install water, sewer, street light conduit and sidewalk. Staff recommends that prior to City Council approval, the applicant submit construction plans for the access easement for review and approval or obtain a Variance to the Subdivision Regulations.

Non-Access Easement: A 100 foot non-access easement is required to be provided along the east side of the proposed Lot 2 of Best Subdivision per the Rapid City Street Design Criteria Manual. This non-access easement will provide sufficient spacing of the driveway approach to allow vehicles to safely queue at the intersection. Staff recommends that prior to Planning Commission approval, a revised plat document be submitted for review and approval or obtain a Variance to the Subdivision Regulations.

Sewer: Sewer plans prepared by a Registered Professional Engineer show the extension of sanitary sewer service lines to the property. In addition, the applicant has submitted a Variance to the Subdivision Regulations (#07SV036) to waive the requirement to install a sewer main along the proposed access easement. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Water: Water plans prepared by a Registered Professional Engineer showing the extension of water mains must be submitted for review and approval. In addition, the water plans must provide calculations demonstrating that required domestic and fire flows are being provided. Staff is recommending that prior to Preliminary Plat approval by the Planning Commission, the construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must also be revised to provide utility easements as needed.

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Drainage System The applicant has submitted a grading plan and an erosion and sediment control plan for all improved areas for review and approval. However, a drainage easement is required near the southwest corner of the proposed Lot 2 of Best Subdivision for the existing storm sewer. Staff recommends that prior to Preliminary Plat approval by Planning Commission, the plat document shall be revised as identified.

Air Quality Permit: Staff noted that if the area of disturbance exceeds one acre, an Air Quality Permit must be obtained.

Connection Fees: The property is located in an area where connection fees apply for City sewer and water. These fees are charged at the time building permits are issued.

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.