

STAFF REPORT
September 20, 2007

No. 07PL107 - Preliminary Plat

ITEM 42

GENERAL INFORMATION:

APPLICANT	Moyle Petroleum Company
AGENT	FourFront Design, Inc.
PROPERTY OWNER	David S. Larsen
REQUEST	No. 07PL107 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The unplatted portion of the NW1/4 SW1/4, less Lot H5 (formerly lots 8 thru 10 of Swander's Addition), Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of South Yard Subdivision, Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.14 acres
LOCATION	Southeast of the intersection of South Dakota Highway 79 and Minnesota Street
EXISTING ZONING	Heavy Industrial District
SURROUNDING ZONING	
North:	Heavy Industrial District - General Commercial District
South:	Heavy Industrial District - Light Industrial District
East:	Heavy Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/12/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

- Staff recommends that the Preliminary Plat be approved with the following stipulations:**
- 1. Prior to Preliminary Plat approval by the Planning Commission, a revised plat be submitted for review and approval showing Lot 1 being platted as part of this requested plat and the remainder staying as an unplatted balance;**
 - 2. Prior to Preliminary Plat approval by the Planning Commission, a drainage and grading plan, as well as an erosion and sediment control plan, must be submitted for review and approval. In addition, the plat document shall be revised to show**

- additional drainage easements as necessary;
3. Prior to Preliminary Plat approval by the City Council, road construction plans for the Rearage Road shall be submitted for review and approval. In particular, the construction plans shall show the Rearage Road located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer and bike path if disturbed or a Variance to the Subdivision Regulations shall be obtained. In addition, Prior to Preliminary Plat approval by the City Council, a name for the Rearage Road shall be submitted for review and approval;
 4. Prior to Preliminary Plat approval by the City Council, road construction plans for East Minnesota Street shall be submitted for review and approval. In particular, the road construction plans shall show East Minnesota Street located in 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 or a Variance to the Subdivision Regulations shall be obtained;
 5. Prior to City Council approval of a Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the location and size of existing water mains and service lines and the extension of water mains must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;
 7. Prior to City Council approval of a Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the location and size of existing sewer mains and services and the extension of sanitary sewer mains and service lines must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;
 8. Prior to Preliminary Plat approval by the City Council, the plat document be revised to show all required non-access easements per the Rapid City Street Design Criteria Manual;
 9. Prior to any development within the 100 year federally designated floodplain, a Floodplain Development Permit must be obtained as needed. In addition, a 404 Permit must be obtained from the Corp of Engineers as needed;
 10. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 11. 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,
 12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval.

GENERAL COMMENTS:

This staff report has been revised as of September 14, 2007. All revised and/or added text is shown in bold print. This item was continued to the September 20, 2007 Planning Commission meeting to allow the applicant to submit the required information. On September 13, 2007 staff met with the applicant to discuss the issues related to the proposed plat. As of September 14, 2007 the required information has **not been submitted**. The applicant has submitted a Preliminary Plat application to subdivide the subject property into two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter,

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water, sewer, street light conduit and sidewalk on the rearage road and a variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, water, sewer, street light conduit and sidewalk on Minnesota Street as per Chapter 16.16 of the Rapid City Municipal Code. (See companion item #07SV048)

The property is located in the southeast corner of the intersection of South Highway 79 and Minnesota Street. Currently, the property is void of any structural development.

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

Revised Plat: On September 13, 2007 staff met with the applicant to review the issues with the proposed plat. The applicant has requested that the proposed Preliminary Plat be platted in phases, with Lot 1 being submitted for review and approval at this time, and the remainder of the property, known as Lot 2 to be submitted for review and approval at a later date. Staff recommends that prior to Preliminary Plat approval by the Planning Commission, a revised plat be submitted for review and approval showing Lot 1 being platted as part of this requested plat and the remainder staying as an unplatted balance.

Floodplain: The northeast portion of the property is located in a 100 year federally designated floodplain. Prior to any development within the 100 year federally designated floodplain, a Floodplain Development Permit must be obtained as needed. In addition, a 404 Permit must be obtained from the Corp of Engineers as needed.

Easement Designation: Staff noted that non-access easements were not shown on the plat document. Staff is recommending that prior to Preliminary Plat approval by the City Council, the plat document be revised to show all required non-access easements per the Rapid City Street Design Criteria Manual.

Water: Water plans prepared by a Registered Professional Engineer showing the location and size of existing water mains and service lines and 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. Prior to **City Council** approval of a Preliminary Plat, the construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Sewer: Sewer plans prepared by a Registered Professional Engineer showing the location and size of existing sewer mains and services and the extension of sanitary sewer mains and service lines must be submitted for review and approval. Prior to **City Council** approval of a Preliminary Plat, the construction plans must be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Minnesota Street: Minnesota Street is located along the northern lot line of the property. Minnesota Street is identified as a minor arterial street on the City's Major Street Plan. 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, Minnesota Street is located in an 80 foot wide

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right-of-way. Approximately the west 285 feet of Minnesota Street is paved with a 30 foot wide surface. The remainder of Minnesota Street is undeveloped and there is no curb and gutter, street light conduit or water currently constructed in Minnesota Street. The applicant is proposing to dedicate an additional ten feet of right-of-way along the south side of Minnesota Street. The applicant has also requested a Variance to the Subdivision Regulations (#07SV048) to waive the requirements to improve Minnesota Street in conjunction with this plat request. As such, staff recommends that prior to Preliminary Plat approval by **City Council**, plans for Minnesota Street shall be submitted as identified or a Variance to the Subdivision Regulations must be obtained. In addition, a non-access easement shall be identified along the northern lot line, as no access will be allowed onto Minnesota Street.

Rearage Road: The rearage road runs north and south through the two proposed lots. The rearage road is classified as a commercial/industrial street requiring that the street be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, the rearage road is located in an 80 foot wide right-of-way and constructed with approximately 30 feet of paved surface. Staff recommends that prior to Preliminary Plat approval by the Planning Commission, the applicant submit construction plans for the rearage road for review and approval or obtain a Variance to the Subdivision Regulations. In addition, the rearage road needs to be named as part of this platting process. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a road name shall be submitted for review and approval for the rearage road.

Drainage: As part of the Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. In addition, a drainage plan must be submitted for review and approval. The drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. Staff also noted that the location of water flow throughout the subdivision and the location and size of all culverts and pipes should be shown on the drainage plan. Staff is recommending that prior to Planning Commission approval of a Preliminary Plat, a drainage and grading plan, as well as an erosion and sediment control plan, must be submitted for review and approval.

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.

This item was continued to the September 20, 2007 Planning Commission meeting to allow the applicant to submit the required information. As of September 14, 2007 the required information has not been submitted. Staff recommends that the Preliminary Plat be approved with the previously stated stipulations.