

STAFF REPORT
June 26, 2008

No. 08PL090 - Preliminary Plat

ITEM 45

GENERAL INFORMATION:

APPLICANT	Blu-Knu Enterprises, L.L.C
AGENT	Advanced Engineering & Surveying
PROPERTY OWNER	Rommismo Family Limited Partnership
REQUEST	No. 08PL090 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 2 and 3 of Blu-Knu Subdivision and the unplatted land located in the SW1/4 SW1/4, Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 2A and 2B and Lot 3R of Blu-Knu Subdivision, formerly Lots 2 and 3 of Blu-Knu Subdivision and the unplatted land located in the SW1/4 SW1/4, Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.05 acres
LOCATION	On the west side of Deadwood Avenue between Lien Street and 1543 Deadwood Avenue
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District - Light Industrial District
South:	Light Industrial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/30/2008
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior Preliminary Plat approval by the City Council, a Comprehensive Plan Amendment

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- to the Major Street Plan relocating the collector extending through the property shall be approved or the plat document shall be revised to show the street;
3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the elimination of the approach to Lot 2B. In addition, the approach to Lot 3R shall be relocated to provide a maximum 40 foot by 40 foot shared approach at the common lot line of Lot 2R and 3R. Approach Permit(s) shall also be obtained from the South Dakota Department of Transportation. In addition, the plat document shall be revised to show a non-access easement along Deadwood Avenue except for the approved approach location(s);
 4. Prior to Preliminary Plat approval by the City Council, construction plans shall be submitted for review and approval showing sewer and four additional feet of pavement along Lien Street or a Variance to the Subdivision Regulations shall be obtained;
 5. Prior to Preliminary Plat approval by the City Council, construction plans shall be submitted for review and approval showing property line sidewalks in lieu of curb side sidewalks along Deadwood Avenue and Lien Street or an Exception shall be obtained to allow curb side sidewalks along a commercial street as per the Street Design Criteria Manual;
 6. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow access from Deadwood Avenue in lieu of Lien Street, the lesser traveled street, or access to proposed Lot 3R shall be taken from Lien Street as per the Street Design Criteria Manual. In addition, the plat document shall be revised to show a non-access easement along Deadwood Avenue as it abuts proposed Lot 3R;
 7. Prior to Preliminary Plat approval by the City Council, written documentation from Qwest Communications shall be submitted identifying concurrence with vacating the previously platted utility easement located along the rear lot lines of Lot 2 and 3;
 8. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required;
 9. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 10. Prior to submittal of a Final Plat application, the previously required parking for the existing commercial use(s) shall be constructed or surety shall be posted for the improvement;
 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 as required.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to create three lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #08SV035) to waive the requirement to install street light conduit, sewer and to reduce the pavement width from 36 feet to 32 feet along Lien Street as it abuts the property. The applicant has also submitted an Amendment to the Adopted Comprehensive Plan (File #08CA021) to revise the Major Street Plan to relocate a collector street as it extends through the property.

On June 2, 2008, the City Council approved a Layout Plat (File #08PL041) to subdivide the

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property into two lots.

The property is located northwest of the intersection of Lien Street and Deadwood Avenue. Currently, four commercial buildings are located on proposed Lot 2A and one commercial building is located on proposed Lot 2B, respectively. Proposed Lot 3R is void of any structural development.

STAFF REVIEW:

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

Existing Land Use: As noted above, four commercial buildings are located on proposed Lot 2A and one commercial building is located on proposed Lot 2B, respectively. A building permit was issued in 2002 to expand an office requiring that a minimum of 27 parking spaces be provided for all of the commercial development existing on the property. To date, the parking has not been constructed. The applicant has submitted a parking plan showing that 17 parking spaces are required for the existing uses on proposed Lot 2A and that 20 parking spaces will be provided. In addition, one of the parking spaces will be handicap accessible. The parking plan also shows that 11 parking spaces are required for the existing uses on proposed Lot 2B and that 32 parking spaces will be provided, with one of the parking spaces being handicap accessible. Since the parking is currently in violation of the previously approved building permit, staff is recommending that the parking be constructed prior to submittal of a Final Plat application or surety must be posted for the improvement.

The applicant should also be aware that since 32 parking spaces are provided on proposed Lot 2B, two handicap accessible spaces must be provided in lieu of one space. In addition, the access aisle to the proposed handicap space on Lot 2B must be revised to provide a minimum 26 foot wide access aisle in lieu of a 20 foot wide access aisle as shown.

Sidewalks: The applicant has submitted construction plans showing proposed curb side sidewalks along Deadwood Avenue and Lien Street. However, property line sidewalks are required along a commercial street to provide a separation between pedestrians and vehicles, improving pedestrian safety within a commercial area. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans must be submitted for review and approval showing property line sidewalks in lieu of curb side sidewalks along Deadwood Avenue and Lien Street or an Exception must be obtained to allow curb side sidewalks along a commercial street as per the Street Design Criteria Manual.

Lien Street: Lien Street is located along the south lot line of the subject property and is classified as a minor arterial street on the City's Major Street Plan requiring that the street be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Lien Street is located in a 100 foot wide right-of-way and constructed with an approximate 32 foot wide paved surface, curb, gutter and water. As noted above, the applicant is proposing to construct a sidewalk along the street. Staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans be submitted for review and approval showing sewer and four additional feet of pavement along Lien Street or a Variance to the Subdivision Regulations must be obtained.

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Approach Locations: The plat document identifies three approaches along Deadwood Avenue, one to each of the three proposed lots. The South Dakota Department of Transportation has indicated that the approach to proposed Lot 2B must be eliminated. In addition, the approach to proposed Lot 3R must be relocated to provide a maximum 40 foot by 40 foot shared approach at the common lot line of Lot 2R and 3R. Approach Permit(s) must also be obtained from the South Dakota Department of Transportation. In addition, the plat document must be revised to show a non-access easement along Deadwood Avenue except for the approved approach location(s).

Major Street Plan: The adopted Major Street Plan identifies a collector street extending through the northeast corner of the property. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a Comprehensive Plan Amendment to the Major Street Plan relocating the collector extending through the property be approved or the plat document must be revised to show the street.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if any subdivision improvements are required.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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 any public improvements, a Warranty Surety be submitted for review and approval if subdivision improvements are required.

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