

STAFF REPORT
February 10, 2011

No. 11PL003 - Layout Plat

ITEM 9

GENERAL INFORMATION:

APPLICANT	Rubloff Rapid City, LLC
AGENT	FMG, Inc.
PROPERTY OWNER	Rubloff Rapid City, LLC
REQUEST	No. 11PL003 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 1R of Five Star Subdivision located in NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot A of Lot 1R and Lot B of Lot 1R of Five Star Subdivision
PARCEL ACREAGE	Approximately 4.5 acres
LOCATION	West of Haines Avenue, south of Disk Drive and north of Interstate 90
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Medium Density Residential District - General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/13/2011
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, road construction plans for Interstate 90 shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained to waive the requirement to install water and sewer and an Exception shall be obtained to waive the requirement to provide sidewalk, curb, gutter and street light conduit;

STAFF REPORT
February 10, 2011

No. 11PL003 - Layout Plat

ITEM 9

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2. Upon submittal of a Preliminary Plat application, road construction plans for the access easement shall be submitted for review and approval. In particular, the road construction plans shall show the street located within a 59 foot wide easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 3. Prior to submittal of a Preliminary Plat application, the Operation and Easement Agreement shall be reviewed and approved by the City Attorney's Office or additional access easements in a form acceptable to the City Attorney shall be provided to secure access along all shared access aisles and to all parking spaces as required;
 4. Upon submittal of a Preliminary Plat application, a landscape plan, a parking plan and a sign package shall be submitted for review and approval to insure that the subdivision of the property into two lots as proposed is in compliance with all applicable requirements of the Rapid City Municipal Code;
 5. Upon submittal of a Preliminary Plat application, an Exception shall be obtained to allow the water and sewer service lines serving Lot B of Lot 1R to cross Lot A of Lot 1R or the lot layout shall be revised to comply with the design specifications or plans to relocate the utilities in compliance with all applicable provisions of the Rapid City Municipal Code and the adopted Utility Specification shall be submitted for review and approval;
 6. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide non-access easements in compliance with the Street Design Criteria Manual or an Exception shall be obtained to allow a 40 foot wide approach along Disk Drive in lieu of a maximum 28 foot wide approach as per the Street Design Criteria Manual. If the Exception is not obtained, then construction plans shall be submitted for review and approval to reconstruct the existing approach to comply with the Street Design Criteria Manual;
 7. Upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
 8. Upon submittal of a Preliminary Plat application, a grading plan and a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval if subdivision improvements are required. In particular, the drainage plan shall include calculations demonstrating that discharge from any improvements will not exceed pre-development flow rates or local detention facilities shall be provided. In addition, the plat document shall also be revised to provide drainage easements as necessary;
 9. Upon submittal of a Preliminary Plat application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 10. 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;
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 12. The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

STAFF REPORT
February 10, 2011

No. 11PL003 - Layout Plat

ITEM 9

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to subdivide an existing 4.5 acre lot into two lots. The lots will be sized 2.4 acres and 2.1 acres, respectively and will be known as "Lot A of Lot 1R and Lot B of Lot 1R, Five Star Subdivision.

The property is located approximately 1,000 feet west of the intersection of Haines Avenue and Disk Drive on the south side of Disk Drive and north of Interstate 90. Currently, a strip mall is located on proposed Lot A of Lot 1R and a "Petsmart" commercial retail store is located on proposed Lot B of Lot 1R.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major 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 and has noted the following considerations:

Existing Land Development: Currently, two commercial buildings with parking, landscaping and signage exist on the property. As a result of subdividing the property to create individual lots for each of the two structures, the existing parking and landscaping will be divided between the two lots. As such, staff recommends that upon submittal of a Preliminary Plat application, a landscape plan and a parking plan be submitted for review and approval to insure that the subdivision of the property into two lots as proposed is in compliance with all applicable provisions of the Rapid City Municipal Code. In addition, the applicant must submit a sign package to insure that the existing signage continues to comply with the Sign Code Ordinance.

Service Lines: Currently, water and sewer service lines extend south from Disk Drive to serve the two commercial structures located on the property. As a result of the platting of the property as proposed, the service lines on proposed Lot B of Lot 1R will cross proposed Lot A of Lot 1R. The City's Utility Design Criteria Specifications states that a service line may not cross another lot. As such, upon submittal of a Preliminary Plat application, an Exception must be obtained to allow the water and sewer service lines to cross another lot or the lot layout must be revised to comply with the design specifications or plans to relocate the utilities in compliance with all applicable provisions of the Rapid City Municipal Code and the adopted Utility Specification must be submitted for review and approval.

Approach/Non-Access Easement: A 40 foot wide approach currently provides access along Disk Drive. However, the Street Design Criteria Manual states that a maximum 28 foot wide approach is allowed for a commercial site. As such, staff recommends that upon submittal

STAFF REPORT
February 10, 2011

No. 11PL003 - Layout Plat

ITEM 9

of a Preliminary Plat application, the plat document must be revised to show a non-access easement along Disk Drive in compliance with the Street Design Criteria Manual or an Exception be obtained to allow a 40 foot wide approach. If the Exception is not obtained, then construction plans must be submitted for review and approval to reconstruct the existing approach to comply with the Street Design Criteria Manual. In addition, a non-access easement must be provided along Interstate 90.

Access Easement: Currently, access aisle(s) extend through the site to serve as access to the parking lot(s) currently constructed on the property. As a result of platting the property into two lots, the applicant is proposing to secure a portion of the access aisle(s) within a 26 foot wide access easement to insure access to each of the lots. The access easement is classified as commercial street requiring that it be located within a minimum 59 foot wide easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff recommends that upon submittal of a Preliminary Plat application, construction plans for the access easement be submitted for review and approval. In particular, the road construction plans must show the street located within a 59 foot wide easement and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Operation and Easement Agreement: The applicant has submitted a copy of a recorded Operation and Easement Agreement between the owners of this property and the adjacent "Kohl's" property which secures a "non-exclusive easement for the passage and parking of vehicles over and across the parking and driveway areas of the properties". The City Attorney's Office is currently reviewing the document to insure that additional access easements are not needed along shared access aisles between these two proposed lots and the adjacent Kohl's property. Staff recommends that prior to submittal of a Preliminary Plat application, the Operation and Easement Agreement be reviewed and approved by the City Attorney's Office or additional access easements in a form acceptable to the City Attorney be provided to secure access along all shared access aisles and to all parking spaces as required.

Interstate 90: Interstate 90 is classified as a principal arterial street on the City's Major Street Plan requiring that the street be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Interstate 90 is located within a varying right-of-way width from 670 feet to 300 feet and constructed with two east bound lanes and two west bound lanes. Upon submittal of a Preliminary Plat application, road construction plans for Interstate 90 must be submitted for review and approval. In particular, the road construction plans must show the street constructed with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained to waive the requirement to install water and sewer and an Exception must be obtained to waive the requirement to provide sidewalk, curb, gutter and street light conduit.

Grading/Drainage: Upon submittal of a Preliminary Plat application, a grading plan showing any proposed grading and including cut and fill quantities must be submitted for review and approval if subdivision improvements are required. In addition, a drainage plan in compliance with the Drainage Criteria Manual must be submitted for review and approval if

STAFF REPORT
February 10, 2011

No. 11PL003 - Layout Plat

ITEM 9

subdivision improvements are required. In particular, the drainage plan must include calculations demonstrating that discharge from any improvements will not exceed pre-development flow rates or local detention facilities must be provided. In addition, the plat document must also be revised to provide drainage easements as necessary.

Stormwater Management Plan: The City Council 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 recommends that upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Plan 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. Upon submittal of a Final Plat application, surety must be posted and subdivision inspection fees must 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. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

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