

STAFF REPORT
August 25, 2011

No. 11PL036 - Preliminary Plat

ITEM 31

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	Cross Country Real Estate LLC
REQUEST	No. 11PL036 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of the NW1/4 of the SW1/4 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot K of Race Track Subdivision
PARCEL ACREAGE	Approximately 1.350 acres
LOCATION	At the northeast corner of Jolly Lane and East Highway 44
EXISTING ZONING	General Commercial District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District (Pennington County)
South:	General Commercial District (Rapid City) - General Commercial District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	General Commercial District (Rapid City) - General Commercial District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	6/24/2011
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

- 1. Prior to Preliminary Plat approval by the Planning Commission, the traffic information shall be revised to include race day car counts. In addition, the document shall be stamped by a Professional Engineer;**
- 2. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the site plan as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;**
- 3. Prior to Preliminary Plat approval by the City Council, additional drainage information shall be submitted for review and approval as applicable;**
- 4. Prior to submittal of Final Plat application, the proposed drainage and water main**

- easement(s) shall be recorded at the Register of Deeds' Office. In addition, a copy of the recorded documents shall be submitted to the Growth Management Department;
5. Prior to Preliminary Plat approval by the City Council, an Exception to reduce the minimum corner clearance from 230 feet to 140 feet for the proposed driveway along Jolly Lane shall be obtained or the plat document shall be revised to meet the minimum requirement;
 6. Prior to Preliminary Plat approval by the City Council, an Exception to waive the requirement to provide a sidewalk along the south side of S.D. Highway 44 shall be obtained or the construction plans shall be revised to show the improvement;
 7. Prior to Preliminary Plat approval by the City Council, an Exception to allow an asphalt driveway in lieu of the required reinforced concrete driveway in a Commercial District shall be obtained or the construction plans shall be revised accordingly;
 8. Prior to Preliminary Plat approval by the City Council, an Exception to allow a 46 foot wide driveway in lieu of a maximum 28 foot wide driveway shall be obtained or the plat document shall be revised accordingly;
 9. Prior to Preliminary Plat approval by the City Council, Annexation Petition (File #11AN001) for proposed Lot K shall be approved by the City Council;
 10. Prior to Preliminary Plat approval by the City Council, construction plans showing curb, gutter, sidewalk, sewer and a minimum 36 foot wide paved surface along Jolly Lane shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
 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,
 12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 13. The approved Preliminary 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.

GENERAL COMMENTS:

(Update: August 15, 2011. All revised and/or added text is shown in bold print.) This item was continued at the July 21, 2011 Planning Commission meeting to allow the applicant to submit additional information. The applicant has, subsequently, submitted a revised plat document eliminating Lots L and M, traffic information, revised drainage information, utility information, a Master Plan and an Exception to waive the requirement to provide a sidewalk along the south side of S.D. Highway 44.

The applicant has also submitted a Variance to the Subdivision Regulations (File #11SV012) to reduce the pavement width of Jolly Lane from 36 feet to 34 feet.

The applicant has submitted a Preliminary Plat to create three lots, leaving a non-transferable unplatted balance. The lots are to be known as Lots K, L and M of Race Track Subdivision. The applicant has also submitted a Variance to the Subdivision Regulations

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(File #11SV011) to waive the requirement to install curb, gutter, sidewalk and sewer along Jolly Lane as it abuts the property.

On April 3, 2000, the City Council denied without prejudice a Layout Plat (File #00PL019) to subdivide the property into four lots noting drainage issues, approach location issues and subdivision lot layout issues.

On May 7, 2001, the City Council denied without prejudice a Layout Plat (File #01PL018) to subdivide the property into four lots again noting drainage issues, approach location issues and subdivision lot layout issues.

On June 22, 2006, the City Council denied without prejudice a Layout Plat (File #06PL059) to subdivide the property into two lots, leaving a non-transferable unplatted balance. Again it was noted that drainage issues and traffic and approach location issues must be addressed prior to City Council approval of a plat for the property.

On December 1, 2008, the City Council denied without prejudice a Layout Plat (File #08PL061) to subdivide the property creating two lots, leaving a non-transferable balance. In addition, City Council denied without prejudice a Variance to the Subdivision Regulations (File #08SV028) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along S.D. Highway 44 and Jolly Lane.

The property is located in the northeast corner of the intersection of S.D. Highway 44 and Jolly Lane. Currently, the Black Hills Speedway is located on the property.

STAFF REVIEW:

On July 12, 2011 staff met with the applicant(s) and their consultant to discuss the outstanding issues regarding the Preliminary Plat. The following is a list of issues that must be addressed prior to this item going forward for consideration:

- A Traffic Impact Study must be submitted for review and approval which includes background traffic, race day traffic, projected traffic from the three proposed lots, including truck traffic, peak traffic analysis and required street and traffic improvements along with an implementation schedule and warrants. In addition, the Traffic Impact Study must address design requirements to allow a right-in/right-out approach along S.D. Highway 44 and a full movement approach along Jolly Lane;

(Update: August 15, 2011.) As previously indicated, the applicant has submitted traffic information for the proposed development. Prior to Preliminary Plat approval by the Planning Commission, the traffic information must be revised to include race day car counts. In addition, the document must be stamped by a Professional Engineer.

- A complete drainage plan must be submitted for review and approval which includes drainage calculations and analysis, including historic and developed flow calculations. The drainage improvements must be designed in compliance with the Race Track Draw Drainage Basin Report and system improvements. Even though not required as a part

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of this Preliminary Plat application, it is suggested that the applicant complete a conceptual analysis for the race track area addressing future drainage improvements in considering other development uses of the site to avoid potential conflicts or additional costs associated with drainage improvements and site layout. An Erosion and Sediment Control and Post Construction Water Quality Plan must also be submitted for review and approval;

(Update: August 15, 2011.) As previously indicated, the applicant has submitted drainage information for the proposed project. Prior to Preliminary Plat approval by the City Council, additional drainage information must be submitted for review and approval as applicable.

- Water plans must be submitted for review and approval showing the extension of an 8 inch water main along S.D. Highway 44 to serve the proposed development in compliance with the Rapid Valley Sanitary District Utility Plan. Please note that the applicant has the option of revising the plat and application documents to show a Layout Plat being proposed for Lots K, L and M and a Preliminary Plat being proposed for Lot K only in order to minimize the length of the water main extension required along S.D. Highway 44 as a part of this Preliminary Plat. Construction plans showing the balance of the water main would then be provided upon submittal of a Preliminary Plat for Lots L and M. The water plans must also include estimated water system demand data and fire flow information. (Please note that at the July 12, 2011 meeting with the applicant, representatives from Rapid Valley Sanitary District, City staff and County staff concurred that the City's fire hydrant located adjacent to the southwest corner of the property may be used to provide fire protection.);

(Update: August 15, 2011.) The applicant has revised the plat to include Lot K only, eliminating Lots L and M. As such, the Rapid Valley Sanitary District has indicated that the water plans meet with their review and approval for this phase of the development.

- Sewer plans must be submitted for review and approval which provide estimated sewer flows and an analysis of the existing Rapid Valley Sanitary Sewer System to verify that adequate capacity exists to serve the proposed development or provide improvements to upgrade the system if needed as stipulated by the Rapid Valley Sanitary District;

(Update: August 15, 2011.) As previously indicated, the applicant has submitted utility information. The Rapid Valley Sanitary District has indicated that the plans meet with their review and approval for this phase of the development.

- A Master Plan of the property which includes the proposed unplatted balance must be submitted for review and approval. The Master Plan must include private and public utilities;

(Update: August 19, 2011.) A Master Plan has not been submitted by the applicant demonstrating access to the balance of the property.

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Construction plans for Jolly Lane must be submitted for review and approval showing the street improved with curb, gutter, sidewalk, street light conduit and additional pavement or a Variance to the Subdivision Regulations must be obtained. (Please note that the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Jolly Lane. A Variance request to waive the requirement to provide additional pavement was not submitted);

(Update: August 15, 2011.) The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to provide additional pavement along Jolly Lane. Both Variance requests will be considered at the August 25, 2011 Planning Commission meeting.

- An Exception must be submitted and obtained to reduce the minimum distance required between the intersection of S.D. Highway 44 and Jolly Lane and the proposed approach along Jolly Lane or the Preliminary Plat must be revised accordingly;

(Update: August 15, 2011.) The applicant has submitted the Exception request as noted. Upon review of the additional traffic information as noted above, staff will act on the Exception request.

- Construction plans must be submitted for review and approval showing sidewalk along S.D. Highway 44 or an Exception must be obtained;

(Update: August 15, 2011.) The applicant has submitted construction plans showing a sidewalk along the north side of S.D. Highway 44 and an Exception request to waive the requirement to provide a sidewalk along the south side of S.D. Highway 44. Prior to Preliminary Plat approval by the City Council, the Exception must be obtained or the construction plans must be revised to show the improvement.

- A cost estimate for all of the subdivision improvements must be submitted for review and approval; and,

(Update: August 15, 2011.) A cost estimate has been submitted for review and approval. Minor changes may be needed as red lined comments of the construction plans are being addressed.

- An Annexation Petition must be submitted and approved prior to City Council approval of the Preliminary Plat.

(Update: August 15, 2011.) An Annexation Petition (File #11AN001) for proposed Lot K has been submitted for review and approval. Prior to Preliminary Plat approval by the City Council, the Annexation Petition must be approved by the City Council.

The proposed plat generally complies with all applicable Zoning and Subdivision

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Regulations assuming compliance with the stated stipulations.