

STAFF REPORT
December 8, 2011

No. 11PL051 - Preliminary Plat

ITEM 2

GENERAL INFORMATION:

APPLICANT	Hog Wild, Inc.
AGENT	Renner & Associates, LLC
PROPERTY OWNER	Clayton Trulson for Hog Wild, Inc. and Stephen J. Post for GCC Dacotah, Inc.
REQUEST	No. 11PL051 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lots 1-3 of R&L Subdivision and a portion of the SW1/4 of Section 22 and a portion of the N1/2 of Section 27 located in T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tracts 1 and Tract 2 of Harley-Davidson Subdivision
PARCEL ACREAGE	Approximately 39.533 acres
LOCATION	South of the intersection of Tatanka Road and Harley Drive
EXISTING ZONING	General Commercial District (Planned Commercial Development) - General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	Light Industrial District (Planned Industrial Development) General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/9/2011
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 City Council, all necessary changes shall be made to the site plan and plat document as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Community Planning and Development Services Department;**

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2. Prior to Preliminary Plat approval by the City Council, road construction plans for Harley Drive shall be submitted for review and approval. In particular, the plans shall show the street constructed with sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, road construction plans for Tatanka Road shall be submitted for review and approval. In particular, the plans shall show Tatanka Road located west of Harley Drive constructed with sidewalk, street light conduit and water or a Variance to the Subdivision Regulations shall be obtained. In addition, the plans shall show Tatanka Road located east of Harley Drive constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to Preliminary Plat approval by the City Council, road construction plans for Interstate 90 shall be submitted for review and approval. In particular, the plans shall show the street constructed with water and sewer or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Preliminary Plat approval by the City Council, 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;
6. Prior to Preliminary Plat approval by the City Council, water plans prepared by a Registered Professional Engineer showing the extension of water mains, including water service to the proposed lots, shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the water plans shall demonstrate that adequate flows are being provided. The plat document shall also be revised to provide utility easements as needed;
7. Prior to Preliminary Plat approval by the City Council, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the sewer plans shall demonstrate that the sewer facility currently existing within the area has the capacity to serve the proposed subdivision. The plat document shall also be revised to provide utility easements as needed;
8. Prior to Preliminary Plat approval by the City Council, 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;
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 if any subdivision improvements are required;
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 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,

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prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS:

(Update: November 29, 2011. All revised and/or added text is shown in bold print.) This item was continued at the November 23, 2011 Planning Commission meeting to allow the applicant to submit additional information. The applicant has recently submitted an agreement for review and approval to defer the installation of a City water main along Harley Drive as a part of the Preliminary Plat approval. The applicant has also submitted a revised plat document proposing to create two lots instead of the originally proposed three lots. In addition, the applicant has submitted a Master Plan for the property. To date, the balance of the information has not been submitted for review and approval.

(Update: November 17, 2011. All revised and/or added text is shown in bold print.) This item was continued at the November 10, 2011 Planning Commission meeting to allow the applicant to submit additional information. The applicant has recently submitted an agreement for review and approval to defer the installation of water as a part of the Preliminary Plat approval. As of this writing, staff has not had sufficient time to review the document. As such, staff recommends that the Preliminary Plat be continued to the December 8, 2011 Planning Commission meeting to allow the applicant to continue to work with the City to resolve this issue.

(Update: November 1, 2011. All revised and/or added text is shown in bold print.) This item was continued at the October 27, 2011 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted. As such, staff recommends that the Preliminary Plat be continued to the November 23, 2011 Planning Commission meeting to allow the applicant to submit the additional information.

(Update: October 14, 2011. All revised and/or added text is shown in bold print.) This item was continued at the October 6, 2011 Planning Commission meeting to allow the applicant to submit additional information. On October 11, 2011, staff met with the applicant(s) and their consultant to discuss the outstanding issues. The applicant's consultant indicated that the information would be submitted in time for consideration at the November 10, 2011 Planning Commission meeting. As such, staff recommends that the Preliminary Plat be continued to the November 10, 2011 Planning Commission meeting with the concurrence of the applicants.

The applicant has submitted a Preliminary Plat to create three lots leaving an unplatted balance. The lots are sized 3.275 acres, 3.486 acres and 32.772 acres, respectively, and are to be known as Tract 1 thru 3 of Harley-Davidson Subdivision. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #11SV018) to waive the requirement to install curb and gutter, pavement, sidewalk, sewer, water and street light conduit along Tatanka Road and to waive the requirement to install sidewalk, sewer, water and street light conduit along Harley Drive and to waive the requirement to install sewer and water along Interstate 90.

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The property is located south of the intersection of Tatanka Road and Harley Drive. The Black Hills Harley Davidson store and a storage building are currently located on proposed Tract 1. Tract 2 and 3 are currently void of any structural development.

STAFF REVIEW:

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

Zoning: Proposed Tract 1 is currently zoned General Commercial District with a Planned Commercial Development and General Agriculture District. Proposed Tract 2 and Tract 3 are currently zoned General Agriculture District. The Future Land Use Plan identifies the appropriate use of Tract 1 and Tract 2 as General Commercial with a Planned Commercial Development. Tract 3 is identified as Light Industrial District with a Planned Industrial Development. Future development on the property may require the rezone of the General Agriculture District to General Commercial District and Light Industrial District in compliance with the Future Land Use Plan. In addition, an Initial and Final Planned Commercial Development or an Initial and Final Planned Industrial Development must be approved prior to issuance of a building permit.

Master Plan: A Master Plan identifying circulation, access and utilities must be submitted for review and approval. The Utility Master Plan must include private and public utilities. Staff recommends that the Preliminary Plat be continued to allow the applicant to submit the required information.

(Update: November 29, 2011.) The applicant has submitted a Master Plan identifying future circulation, access and utilities for the property. Staff has reviewed and approved the plan.

Water: To date, water plans have not been submitted for review and approval identifying water service to the property. The property is primarily located within the South Canyon Water Service Zone. The extreme northern portion of proposed Tract 2 appears to be in the North Deadwood Water Service Zone.

Staff recommends that the Preliminary Plat be continued to allow the applicant to submit water plans identifying service to the proposed lots as required. The water plans must be prepared by a Registered Professional Engineer showing the extension of water mains and service lines or a Variance to the Subdivision Regulations must be obtained. In addition, the water plans must identify that the South Canyon Water Service Zone has adequate capacity to serve the property. The plat document must also be revised to provide utility easements as needed.

(Update: November 29, 2011.) As of this writing, water plans have not been submitted for review and approval. Staff recommends that prior to Preliminary Plat approval by the City Council, water plans prepared by a Registered Professional Engineer showing the extension of water mains, including water service to the proposed lots, be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the water plans must demonstrate that adequate flows are being provided. The plat document must also be revised to provide utility easements as needed.

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Sewer: To date, sewer plans have not been submitted for review and approval identifying sewer service to the property. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit sewer plans as required. In particular, the sewer plans must be prepared by a Registered Professional Engineer showing the extension of sewer main(s) and service lines or a Variance to the Subdivision Regulations must be obtained. The plans must also identify that the sewer facility currently existing within the area has the capacity to serve the proposed subdivision. In addition, the plat document must be revised to provide utility easement as needed.

(Update: November 29, 2011.) As of this writing sewer plans have not been submitted for review and approval. As such, staff recommends that prior to Preliminary Plat approval by the City Council, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the sewer plans must demonstrate that the sewer facility currently existing within the area has the capacity to serve the proposed subdivision. The plat document must also be revised to provide utility easements as needed.

Grading/Drainage: To date, a grading plan and a drainage plan have not been submitted for review and approval. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit a grading plan and drainage plan as required. In addition, the grading plan must show any proposed grading, including cut and fill quantities. The drainage plan must be designed in compliance with the Drainage Criteria Manual, including 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.

(Update: November 29, 2011.) As of this writing, a grading plan and a drainage plan have not been submitted for review and approval. As such, staff recommends that prior to Preliminary Plat approval by the City Council, a grading plan and a drainage plan in compliance with the Drainage Criteria Manual be submitted for review and approval if subdivision improvements are required.

Tatanka Road: Tatanka Road is located along the north lot line and is classified as a collector street on the City's Major Street Plan requiring that it be located within a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, that portion of Tatanka Road extending east from Deadwood Avenue to Harley Drive is located within a 100 foot wide right-of-way and constructed with an approximate 36 foot wide paved surface, curb, gutter and sewer. That portion of Tatanka Road along the north lot line of proposed Tract 2 as per the Major Street Plan has not been secured within right-of-way and/or constructed. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit a revised plat document dedicating the minimum required right-of-way and construction plans for the improvements as identified or a Variance to the Subdivision Regulations must be obtained.

(Update: November 29, 2011.) To date, construction plans for Tatanka Road have not

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been submitted for review and approval. As such, staff recommends that prior to Preliminary Plat approval by the City Council, road construction plans for Tatanka Road be submitted for review and approval. In particular, the plans must show Tatanka Road located west of Harley Drive constructed with sidewalk, street light conduit and water or a Variance to the Subdivision Regulations must be obtained. The plans must also show Tatanka Road located east of Harley Drive constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Harley Drive: Harley Drive extends south from Tatanka Road to serve as access to the property. Harley Drive is classified as a commercial street requiring that it be located within a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Harley Drive is located within a 60 foot wide right-of-way and constructed with a 26 foot wide paved surface, curb and gutter. To date, sidewalk, street light conduit and water have not been constructed along the street. In addition, sewer has not been constructed along the southern portion of the street. As such, staff recommends that the Preliminary Plat be continued to allow the applicant to submit the construction plans as identified or a Variance to the Subdivision Regulations must be obtained.

(Update: November 29, 2011.) As of this writing, construction plans for Harley Drive have not been submitted for review and approval. As such, staff recommends that prior to Preliminary Plat approval by the City Council, road construction plans for Harley Drive be submitted for review and approval. In particular, the plans must show the street constructed with sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Interstate 90: Interstate 90 is located along the west lot line and is classified as a principal arterial street requiring that it be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface. Currently, Interstate 90 is located within a 300 foot wide right-of-way and constructed with four 12 foot wide paved lanes. Staff recommends that the Preliminary Plat be continued to allow the applicant to submit road construction plans for review and approval showing Interstate 90 constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained to waive the requirement to provide water and sewer and an Exception must be obtained to waive the requirement to provide curb, gutter, sidewalk and street light conduit.

(Update: November 29, 2011.) An Exception has been approved waiving the requirement to provide curb, gutter, sidewalk and street light conduit along Interstate 90. To date, road construction plans have not been submitted showing water and sewer and the street. As such, staff recommends that prior to Preliminary Plat approval by the City Council, road construction plans be submitted for review and approval showing water and sewer along Interstate 90 or a Variance to the Subdivision Regulations must be obtained.

Stormwater Management Plan: The City Council recently adopted a Stormwater Quality Manual

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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 the Preliminary Plat be continued to allow the applicant to submit an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual for review and approval if any subdivision improvements are required.

(Update: November 29, 2011.) As of this writing, a stormwater management plan has not been submitted for review and approval. As such, staff recommends that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

Labeling: The Preliminary Plat must be revised to show non-access easements in compliance with the Street Design Criteria Manual. In addition, the plat document must be revised to show the vacation of Lot H4, also labeled as Lange Road. The Register of Deed's Office has also indicated that the plat title must be revised to reflect this change.

Staff recommends that the Preliminary Plat be continued to allow the applicant to submit a revised plat document as identified.

(Update: November 29, 2011.) A revised plat document addressing the labeling issues has been submitted for review and approval.

Cost Estimate: To date, a cost estimate for any subdivision improvements has not been submitted for review and approval. Staff recommends that the Preliminary Plat be continued to allow the applicant to submit a cost estimate for any required subdivision improvements,

(Update: November 29, 2011.) As of this writing, a cost estimate has not been submitted for review and approval. As such, staff recommends that prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements 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 must 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 recommends 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

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recommends 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.