

STAFF REPORT
September 22, 2005

No. 05PL162 - Layout Plat

ITEM 37

GENERAL INFORMATION:

PETITIONER	CETEC Engineering Services, Inc. for Olsen Development Company, Inc.
REQUEST	No. 05PL162 - Layout Plat
EXISTING LEGAL DESCRIPTION	Lot 5, Overlook Subdivision, located in the SW1/4 NW1/4, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 5A, 5B and 5C, Overlook Subdivision, located in the SW1/4 NW1/4, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.116 acres
LOCATION	At the eastern terminus of Clark Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	Park Forest District
East:	Park Forest District
West:	General Commercial District (Planned Commercial Development) - High Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/26/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

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

1. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design must be submitted for review and approval;
2. Upon submittal of a Preliminary Plat application, a utility master plan showing public and private utilities shall be submitted for review and approval;
3. Upon submittal of a Preliminary Plat application, a grading plan and a sediment control plan shall be submitted for review and approval;
4. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the

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5. Rapid City Drainage Criteria Manual shall be submitted for review and approval; Upon submittal of a Preliminary Plat application, 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;
6. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
7. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review;
8. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show access to proposed Lot 5B or a Variance to the Subdivision Regulations shall be obtained to waive the requirement that each lot shall be provided with access from a public street. If a Variance to the Subdivision Regulations is not obtained as identified, then road construction plans for the street shall be submitted for review and approval. Documentation of any required easements or other required approval shall be submitted with the plat application. In particular, the street shall be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, streetlight conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained to waive the requirement to improve the street;
9. Upon submittal of a Preliminary Plat application, road construction plans for West Fulton Street shall be submitted for review and approval. In particular, the street shall be constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained;
10. Upon submittal of a Preliminary Plat application, a subdivision cost estimate shall be submitted for review and approval; and,
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.

GENERAL COMMENTS:

The applicant has submitted a Layout Plat to subdivide the subject property into three commercial lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to install curb, gutter, sidewalk, street light conduit, pavement, sewer and water; to waive the requirement to dedicate right-of-way and to waive the requirement that each lot shall be provided with access from a public street. (See companion item #05SV063.)

On October 15, 2001, the City Council approved an Initial and Final Planned Commercial Development to allow a 6,910 square foot office building to be constructed in the southwest corner of the property. On June 24, 2002, a Minor Plat was approved to create Lot 5A leaving the balance of the property as a non-transferable parcel. The Minor Plat was subsequently rescinded at the applicant's request.

The property is located at the eastern terminus of Clark Street and West Fulton Street. Currently, an office building is located on proposed Lot 5A.

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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:

Zoning: The property is currently zoned Office Commercial District with a Planned Commercial Development. In particular, the Planned Commercial Development allows a 6,910 square foot office building to be located on proposed Lot 5A with the balance of the property identified as open space. Any other use of the property will require a Major Amendment to the Initial and Final Planned Commercial Development.

Drainage: As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. In particular, the drainage plan must demonstrate that discharge does not exceed pre-developed flow rates and does not exceed capacity of downstream facilities. Any discharge onto adjacent properties shall be located within designated drainage easements. The plat document must be revised to provide drainage easements as needed. Staff is recommending that upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, be submitted for review and approval and the plat document be revised to provide drainage easements as identified.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s) or a Variance to the Subdivision Regulations must be obtained waiving the requirement to install a central water system. In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access. Staff is recommending that construction plans be submitted for review and approval as identified upon Preliminary Plat submittal.

Sewer: Sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by City Ordinance.

Water: Water plans prepared by a Registered Professional Engineer showing the extension of water mains must be submitted for review and approval or a Variance to the Subdivision

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Regulations shall be obtained. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by City Ordinance.

West Fulton Street: The Layout Plat identifies West Fulton Street extending west from Jackson Boulevard to serve as access to proposed Lot 5C. West Fulton Street is classified as a sub-collector street requiring that it be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has submitted a recorded document identifying that a 60 foot wide "perpetual easement and right-of-way" has been granted from the adjacent property owner to allow the extension of West Fulton Street to the subject property. In addition, the applicant has indicated that the street will be constructed with a 24 foot wide paved surface, sewer and water. The applicant has also indicated that curb, gutter and sidewalk will be constructed along the south side of the street. Staff is recommending that road construction plans for West Fulton Street be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Access to Proposed Lot 5B: The Layout Plat does not identify any access to proposed Lot 5B. The applicant has submitted a letter stating that proposed Lot 5B, a 3.9 acre parcel, is reserved as open space and, as such, public access and utilities are not being provided to the proposed lot. In addition, the applicant has indicated that the existing Planned Commercial Development may serve as surety for any future subdivision improvements needed to the lot if it should be developed. However, Chapter 16.12 of the Subdivision Regulations states that each lot shall be provided with access to a public street and that the street shall be constructed to City Street Design Standards. As such, the applicant has requested a Variance to the Subdivision Regulations to waive the requirement that each lot be provided with access from a public street, to waive the requirement that right-of-way be dedicated and to waive the requirement that the street be constructed with curb, gutter, sidewalk, street light conduit, water, sewer and pavement.

Staff has noted that an access street across Lot 5C to proposed Lot 5B could be shown on the plat document and that the Initial and Final Planned Commercial Development could serve as surety for the improvement of the street until such time as the lot develops. However, topographic constraints within this area may make it difficult to construct a street as identified. Staff has also noted that an access street extending from Skyline Drive across City owned property would provide legal access to the site. This appears to be the most feasible access based on the applicant's proposed lot layout. The topographic characteristics within this area appear to be such that a street could be built into the property. However, the applicant must submit for review and approval by the Planning Commission a SDCL 11-6-19 Review to construct a street across public property and the City Council must approve of the use of the public land to allow a street to serve a private property. The applicant also has the option of revising the plat document to incorporate proposed Lot 5C into one of the other proposed lots or into an adjacent property as long as that property abuts a public street.

Staff is recommending that upon submittal of a Preliminary Plat, the plat document be revised to provide access to proposed Lot 5B of a Variance to the Subdivision Regulations be obtained. In addition, road construction plans must be submitted for review and approval

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showing the street located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, streetlight conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained to waive the requirement to improve the street.

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