

STAFF REPORT
January 5, 2006

No. 05PL129 - Layout Plat

ITEM 39

GENERAL INFORMATION:

PETITIONER Buescher Frankenberg Associates, Inc. for Wal-Mart Stores, Inc.

REQUEST **No. 05PL129 - Layout Plat**

EXISTING
LEGAL DESCRIPTION

A tract of land located in Sections 34 and 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northeast corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, a $\frac{1}{2}$ inch pipe, thence S00°02'58"E along the section 1/16 line, a distance of 868.95 feet to the Point of Beginning; Thence first course: S00°02'58"E along the section 1/16 line, a distance of 467.74 feet to the southeast corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35, T1N, R7E, BHM, a 5/8" rebar w/cap "4225"; Thence second course: S00°02'58"E along the section 1/16 line a distance of 1331.33 feet to a 5/8" rebar w/cap "4225", which is the southeast corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35, T1N, R7E, BHM; Thence third course: N89°24'46"W along the east-west Section $\frac{1}{4}$ line of same Section 35, a distance of 1326.32 feet to a 5/8" rebar w/cap "4225" which is the west Section $\frac{1}{4}$ corner of Section 35, T1N, R7E, BHM; Thence fourth course: S89°42'51"W, a distance of 104.64 feet along the east-west Section $\frac{1}{4}$ line of Section 34, T1N, R7E, BHM to a 5/8" rebar w/cap "4225" located on the east right of way line of South Dakota Highway 16 and the beginning of a nontangent curve, concave to the northwest, having a radius of 2492.00 feet, a delta angle of 15°55'17", a chord bearing of N15°16'33"E, and a chord length of 690.25 feet; Thence fifth course: Northeasterly along said curve and the east right of way of South Dakota Highway 16, through an angle of 15°55'17", and an arc length of 692.47 feet to a 5/8" rebar w/cap "4225" which is the beginning of a nontangent line; Thence sixth course: N82°41'04"W along the east right of way of South Dakota Highway 16, a distance of 50.00 feet to a 5/8" rebar w/cap "4225"; Thence seventh course: N07°18'56"E along the east right of way line of South Dakota Highway 16, a distance of 658.85 feet to a 5/8" rebar w/cap "4225"; Thence eighth course: N07°18'56"E, along the east right of way line of South Dakota Highway 16, a distance of 598.55 feet; Thence ninth course: S83°18'29"E a distance of 1144.76 feet to the Point of Beginning, all located in the

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W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 35, T1N, R7E, BHM, and in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, T1N, R7E, BHM, Pennington County, South Dakota. Said parcel contains 53.717 acres, more or less.

| | |
|---------------------|---|
| PARCEL ACREAGE | Approximately 53.717 acres |
| LOCATION | East of U.S. Highway 16 and north of Sammis Trail |
| EXISTING ZONING | General Agriculture District |
| SURROUNDING ZONING | |
| North: | General Commercial District (Planned Commercial Development) |
| South: | Highway Service District (Pennington County) - General Agriculture District |
| East: | General Agriculture District - Limited Agriculture District (Pennington County) |
| West: | General Commercial District (Planned Commercial Development) - Public District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 7/8/2005 |
| REVIEWED BY | Vicki L. Fisher / Bob Dominicak |

RECOMMENDATION:

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

- 1. Prior to Layout Plat approval by the Planning Commission, a Master Plan for the entire parcel shall be submitted for review and approval;**
- 2. Prior to Layout Plat approval by the City Council the Traffic Impact Study shall be revised addressing red lined comments and returned for review and approval;**
- 3. Upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, shall be submitted for review and approval. In particular, the drainage plan shall show flow quantities, directions, collection system elements and any required detention. In addition, the plat document shall be revised to provide drainage easements as identified;**
- 4. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;**
- 5. 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. In particular, the sanitary sewer service shall be extended along Catron Boulevard and south along the location of the rearage road to the subject property. In addition, the sanitary sewer plans shall show profiles, manholes, the proposed route to the subject property, location**

- of the existing City of Rapid City sanitary sewer system and the discharge point. The sanitary sewer plans shall be sized to accommodate the proposed Hyland Park Subdivision, the lift station north of the property along U.S. Highway 16, the subject property and the area between the subject property and Catron Boulevard. Utility easements and/or public rights-of-way shall also be recorded at the Register of Deed's Office for any off-site extension of sanitary sewer services located outside of existing rights-of-way or utility easements. In addition, the applicant shall identify funding for the improvement(s);
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. In particular, a 12 inch water main shall be extended from Catron Boulevard along the rearage road providing a looped service with the existing water main located in U.S. Highway 16. In addition, the water plan shall provide a water system analysis, including identifying the source(s), quantities of domestic and fire flows, looping, etc. Utility easements and/or public rights-of-way shall also be recorded at the Register of Deed's Office for any off-site extension of water services located outside of existing rights-of-way or utility easements. In addition, the applicant shall also identify funding for the improvement(s);
 7. Upon submittal of a Preliminary Plat application, a utility master plan shall be submitted for review and approval providing for the extension of private and public utilities through the subject property as well as to adjacent properties. In particular, the utility master plan shall identify utility extensions to the east providing a future connection for the Hyland Park Subdivision, south to Commerford Ranch properties and north and east to undeveloped properties;
 8. Upon submittal of a Preliminary Plat application, road construction plans for U.S. Highway 16 shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with additional turning and stacking lanes as per the Traffic Impact Study. In addition, the street shall be constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 9. Upon submittal of a Preliminary Plat application, road construction plans for the new Sammis Trail shall be submitted for review and approval. In particular, the road construction plans shall show Sammis Trail located in a 100 foot wide right-of-way and constructed with a paved surface to provide the turning lanes, stacking lanes and thru lanes as per the Traffic Impact Study. In addition, the street shall be constructed with curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 10. Upon submittal of a Preliminary Plat application, road construction plans for the existing Sammis Trail shall be submitted for review and approval. In particular, the road construction plans shall show Sammis Trail located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the street shall be vacated;
 11. Upon submittal of a Preliminary Plat application, road construction plans for the improvements for Moon Meadows Drive as it intersects with U.S. Highway 16 shall be submitted for review and approval. In particular, the construction plans shall provide turning and stacking lanes along Moon Meadows Drive as per the Traffic

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- Impact Study;
12. Upon submittal of a Preliminary Plat application, road construction plans for the rearage road shall be submitted for review and approval. In particular, the road construction plans shall show the rearage road located in a minimum 60 foot wide right-of-way and constructed with a minimum of three paved lanes as per the Traffic Impact Study. In addition, the street shall be constructed with curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document shall be revised to show the dedication of all the right-of-way from the subject property or the adjacent property owners shall dedicate the east half of the right-of-way as a part of the Preliminary Plat or as a separate plat action or as an "H" Lot;
 13. Upon submittal of a Preliminary Plat application, road construction plans for the proposed commercial street being extended through the property located south of the new Sammis Trail shall be submitted for review and approval. In particular, the commercial street shall be located in a minimum 59 foot right-of-way 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;
 14. Upon submittal of a Preliminary Plat application, road construction plans for the proposed access easement shall be submitted for review and approval. In particular, the access easement shall be located in a minimum 59 foot right-of-way 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;
 15. Upon submittal of a Preliminary Plat application, road construction plans for the section line highway located in the southwest corner of the property shall be submitted for review and approval. In particular, the section line highway shall be 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 or the section line highway shall be vacated;
 16. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along U.S. Highway 16 and the new Sammis Trail. In addition, a non-access easement shall be shown along the rearage road except for the approved approach location(s). The plat document shall also continue to show the non-access easement(s) along Lots 3 and 4 precluding access from "Lot 2" as per the Traffic Impact Study;
 17. Upon submittal of a Preliminary Plat application, design plans for the proposed signals to be located at the intersection of U.S. Highway 16 and the new Sammis Trail and the intersection of the new Sammis Trail and the access easement extending north into Lot 2 shall be submitted for review and approval. In particular, the design plans shall address cycle length, minimum/maximum green times, calculated yellow and red times, detector location(s), etc. In addition, the design plans shall demonstrate coordination between the two signals;
 18. Prior to the start of construction within the U.S. Highway 16 right-of-way, a Right-of-way Permit shall be obtained from the South Dakota Department of Transportation;
 19. Upon submittal of a Preliminary Plat application, a subdivision estimate form shall be submitted for review and approval;

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20. **Prior to submittal of a Final Plat, the applicant shall submit proposed street names to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names; and,**
21. **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:

(Update, December 26, 2005. All revised and/or added text is shown in bold print.) On December 8, 2005, staff met with several of the applicant's representatives to discuss outstanding issues specific to the project. On December 12, 2005, the applicant submitted a revised Layout Plat, a revised conceptual landscaping plan and revised structural elevations of the proposed commercial building. In addition, on December 19, 2005, a revised traffic analysis was submitted for review and approval.

(Update, November 29, 2005. All revised and/or added text is shown in bold print.) This item was continued at the October 27, 2005 Planning Commission meeting to allow the applicant to further address traffic and utility concerns. On November 10, 2005, the applicant submitted a revised Layout Plat, an Initial Planned Residential Development and a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer, additional pavement and to dedicate additional right-of-way along street sections as identified on the associated Layout Plat. In addition, the applicant submitted a revised legal description for all four of the applications as identified. However, staff has noted that the legal description is incorrect.

On November 16, 2005, the applicant submitted a revised traffic analysis. However, the traffic analysis does not address the revisions as identified on the revised Layout Plat. As such, staff is recommending that this item be continued to the January 5, 2006, Planning Commission meeting to allow a correct legal description to be submitted and to allow the applicant additional time to address outstanding traffic, utility and phasing concerns. Please note that no other part of this Staff Report has been revised.

(Update, October 19, 2005. All revised and/or added text is shown in bold print.) This item was continued at the September 22, 2005 Planning Commission meeting to allow the applicant to further address traffic and utility concerns. On September 30, 2005, the applicant submitted a water and sanitary sewer improvement plan, a traffic impact study, a revised Layout Plat, a revised Master Plan, a Phasing Plan, and a revised legal description. In addition, on October 11, 2005, a landscaping plan was submitted for review and approval. The applicant has, subsequently, requested that this item be continued to the December 8, 2005 Planning Commission meeting to allow them to further coordinate traffic and phasing issues. Please note that no other part of this Staff Report has been revised.

(Update, September 11, 2005. All revised and/or added text is shown in bold print.) This item was continued at the August 4, 2005 Planning Commission meeting to allow the applicant to further address traffic and utility concerns. To date, the information has not been submitted for review and approval. Subsequently, the applicant has requested that this item be continued to the October 27, 2005 Planning Commission meeting to allow them

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additional time to address the issues as identified. As such, staff is recommending that the Layout Plat be continued to the October 27, 2005 Planning Commission meeting as requested. Please note that no other part of this Staff Report has been revised.

The applicant has submitted a Layout Plat to subdivide the subject property into six commercial lots leaving an unplatted balance. In addition, the applicant has submitted a Rezoning request to change the zoning designation of the property from General Agriculture District to General Commercial District. The applicant has also submitted a Planned Development Designation request for the subject property. (See companion items #05RZ047 and 05PD051.)

On December 12, 2005, the applicant submitted a revised Layout Plat expanding the boundaries to include the property located between the existing Sammis Trail right-of-way and the new Sammis Trail right-of-way. In particular, the revised Layout Plat identifies the subdivision of 53.17 acres into six commercial lots leaving a 59.75 acre unplatted balance. In addition, the applicant has submitted a Planned Development Designation application for 7.947 acres of the property located south of the new Sammis Trail right-of-way and a revised Rezoning request to include the entire 53.17 acres. The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to install additional pavement, curb, gutter, sidewalk, water and sewer along U.S. Highway 16, to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the existing Sammis Trail and to install curb, gutter, sidewalk, street light conduit, water and sewer and to dedicate additional right-of-way along the proposed access easement. In addition, the applicant has submitted an Initial Planned Commercial Development for the 45.77 acres located north of the new Sammis Trail right-of-way. In particular, the Initial Planned Commercial Development proposed to allow the construction of a 217,572 square foot "Wal-Mart Supercenter" to be located on proposed Lot 2. (See companion items #05RZ057, 05PD077, 05PD090 and 05SV078.)

The property is located in the northeast corner of the intersection of Moon Meadows Drive and U.S. Highway 16 and is currently void of any structural development.

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:

Traffic Impact Study: As noted above, on December 19, 2005 the applicant submitted a revised Traffic Impact Study. A summary of the Traffic Impact Study provided by the Traffic Engineer states that a mixed land use was used in the calculations including “a Wal-Mart store, a hotel, four retail lots and 300 lots for single-family detached housing”. The summary also identifies that once the site is fully developed, intersection LOS (Level of Service) conditions warrant a signal at the intersection of U.S. Highway 16 and Sammis Trail/Moon Meadows Drive with dual left-turn lanes for the westbound and southbound intersection approaches, as well as a free right-turn lane for the westbound approach. An additional signal is warranted at the intersection of Sammis Trail and the main access road into proposed Lot 2, along with an exclusive left-turn lane at the eastbound approach “assuming full development of the site”. The Traffic Impact Study also states that “a signal at the Sammis Trail/main access road does not meet warrants opening day therefore should not be installed until required”.

Staff has reviewed the Traffic Impact Study and is recommending that it be revised to address red lined comments and returned for review and approval prior to Layout Plat approval by the City Council.

Drainage/Grading/Erosion Control Plan: The Layout Plat identifies a detention area to be located in the northeast corner of proposed Lot 2. A drainage plan must be submitted showing flow quantities, directions and collection system elements. In addition, an erosion and sediment control plan must be submitted for review and approval. Staff is recommending that the information be submitted for review and approval upon submittal of a Preliminary Plat application. In addition, the plat document must be revised to provide drainage easements as needed.

Sewer: The applicant has indicated that the sanitary sewer service will be extended along Catron Boulevard and south along the location of the rearage road to the subject property. 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 must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the sanitary sewer plans must show profiles, manholes, proposed route to the subject property, location of the existing City of Rapid City sanitary sewer system and the discharge point. In addition, the sanitary sewer plans must be sized to accommodate the proposed Hyland Park Subdivision, the lift station north of the property along U.S. Highway 16, the subject property and the area between the subject property and Catron Boulevard. Utility easements and/or public rights-of-way must also be recorded at the Register of Deed’s Office for any off-site extension of sanitary sewer services located outside of existing rights-of-way or utility easements. In addition, the applicant must identify funding for the improvement(s).

Water: Currently, a 14 inch water main exists on the west side of U.S. Highway 16. Staff has noted that the water main will provide marginal water service to the proposed development. As such, the applicant has indicated that a 12 inch water main will be extended from Catron Boulevard along the rearage road providing a looped service

with the existing water main located in U.S. Highway 16. Upon submittal of a Preliminary Plat application, 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 Regulations must be obtained. In particular, the water plan must provide a water system analysis, including identifying the source(s), quantities of domestic and fire flows, looping, etc. In addition, utility easements and/or public rights-of-way must be recorded at the Register of Deed's Office for any off-site extension of water services located outside of existing rights-of-way and utility easements. The applicant must also identify funding for the improvement(s).

U.S. Highway 16: U.S. Highway 16 is located along the west lot line of the subject property and is classified as a principal arterial street on the City's Major Street Plan. A principal arterial street must be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, U.S. Highway 16 is located in a 300 foot wide right-of-way and constructed with northbound and southbound lanes consisting of two 12 foot wide lanes on each leg. However, the Traffic Impact Study, submitted by the applicant, identifies additional lanes along U.S. Highway 16 to accommodate the traffic generated by the proposed use(s). As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for U.S. Highway 16 be submitted for review and approval as identified. In particular, the road construction plans must show the street constructed with additional turning and stacking lanes as per the Traffic Impact Study. In addition, the street must be constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

"New" Sammis Trail: The Layout Plat identifies a "new" Sammis Trail to be constructed in alignment with Moon Meadows Drive located west of U.S. Highway 16. The street is classified as a principal arterial street on the City's Major Street Plan requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. However, the Traffic Impact Study, submitted by the applicant, identifies additional lanes along the "new" Sammis Trail to accommodate the traffic generated by the proposed use(s). As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the "new" Sammis Trail be submitted for review and approval as identified. In particular, the road construction plans must show the street constructed with additional turning and stacking lanes as per the Traffic Impact Study. In addition, the street must be constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

"Existing" Sammis Trail: Sammis Trail currently exists along the south lot line of the subject property. The applicant has indicated that once an alternate access to the properties located south of the subject property is provided by the construction of the "new" Sammis Trail and a commercial street extending south to the "existing" Sammis Trail location, the "existing" Sammis Trail will be vacated. Staff is

recommending that upon submittal of a Preliminary Plat, road construction plans for the existing Sammis Trail be submitted for review and approval. In particular, the road construction plans must show Sammis Trail located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained or the street must be vacated.

Rearage Road: The Layout Plat identifies a rearage road to be located along the east lot line of the subject property. The rearage road is classified as a collector street on the City's Major Street Plan requiring that it be located in a minimum 60 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. However, the Traffic Impact Study, submitted by the applicant, identifies that three paved lanes must be provided to accommodate the traffic generated by the proposed use(s). As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the rearage road be submitted for review and approval. In particular, the road construction plans must show the rearage road located in a minimum 60 foot wide right-of-way and constructed with a minimum of three paved lanes as per the Traffic Impact Study. In addition, the street must be constructed with curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to show the dedication of all the right-of-way from the subject property or the adjacent property owners must dedicate the east half of the right-of-way as a part of the Preliminary Plat or as a separate plat action or as an "H" Lot.

Access Easement: The Layout Plat identifies an access easement through Lot 2 serving as access to Lot 1. The access easement is classified as a commercial street requiring that it be located in 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. Staff is recommending that upon submittal of a Preliminary Plat application, the road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: A north-south section line highway is located in the southwest corner of the subject property. The section line highway is classified as a commercial street requiring that it be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff is recommending that upon submittal of a Preliminary Plat application, the road construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained or the section line highway must be vacated.

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