

Memo to Staff

November 17, 2016

From Pat Tlustos

As previously discussed, I am submitting this request to eliminate the Heartland Business Park plat note "no access to lot 5 of Blk I from North Elk Vale Road" at this time. This request is being made to then allow the future consideration of a "right turn only" out of the site.

We have been approached by a business owner who would like to relocate his operation from its current location just south of the truck stop on North Elk Vale Road. His work in large part is over the road truck repair and servicing. He has indicated that he'd very much like to stay on Elk Vale Road with his operation and his options are to either build on our proposed site or on property across the road on the east side.

I'd point out that if he ends up on the east side of Elk Vale (Box Elder) his turning movements will be identical to what they are today and he'll be crossing the north bound lane of traffic. As proposed on our site (Rapid City) they would only access Elk Vale by way of a "right turn only". Incoming traffic would utilize Mall Drive to Taggart and access lot 6 from the west. In addition, the access point for this business would then be moved north approximately 1400 ft from its current location near the ramps.

This operation employs 35 people and the buildout would be in the range of \$3,000,000.

When we consider these same vehicles will be allowed to enter and exit the Moyle property directly off Elk Vale very near the on/off ramps to I-90, this would seem to be a significant improvement over what is currently in place.

Your Considerations is appreciated.

Pat Tlustos, Member

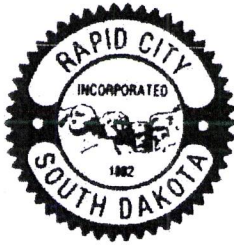


By Pass Development LLC

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RAPID CITY COMMUNITY PLANNING
& DEVELOPMENT SERVICES



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

Community Planning & Development Services

300 Sixth Street

Dale Tech, Interim Community Planning and Development
Services Director, Interim Public Works Director and City
Engineer

Phone: 605-394-4120
city web: www.rcgov.org
e-mail: dale.tech@rcgov.org

Pat Tlustos – By-Pass Development LLC
35 South 4th Street
Custer, SD 57730

RE: **File #16VE024** - Vacation of a note on a plat located on Lot 5 in Block 1 of I-90 Heartland Business Park, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota

Dear Mr. Tlustos:

The Vacation of a Note request on a Plat that states "no access to Lot 5 of Block 1 from North Elk Vale Road" has been denied by City staff based on the following criteria:

- SAME PLAT DETAILS LOT 1 BLK 2*
- Access to the I-90 Heartland Business Park was established during the platting process with access to Lot 5 of Block 1 identified to be taken from Seger Drive. Elk Vale Road is identified as a Principal Arterial Street on the City's Major Street Plan. As per Section 2.2.2 of the Infrastructure Design Criteria Manual, arterial streets serve the highest traffic volume corridors and are designed with limited access to preserve capacity and to enhance safety. Lot 5 of Block 1 has access to Seger Drive, a lower order street.
 - Based on the submitted site plan, a right-in / right-out access approach onto Elk Vale Road would be difficult to enforce with a high probability that drivers would use the most direct route to access the property rather than entering the property from the west along Taggart Road as proposed.
 - Three approaches have been identified to be taken from North Elk Vale Road for the I-90 Heartland Business Park and have been identified on the plat as common access easements shared among Lots 1 through 4 of Block 1. These lots have no other access than from Elk Vale Road and access has been designed to be shared thus limiting the number of approaches onto Elk Vale Road.
 - It is anticipated that the intersection of North Elk Vale Road and Seger Drive will be signalized in the future. The intersection is not currently signalized. As per Figure 2-9 of the Infrastructure Design Criteria Manual, any proposed approach to Lot 5 of Block 1 must



EQUAL OPPORTUNITY EMPLOYER

be at least 250 feet from the signalized intersection of North Elk Vale Road and Seger Road to meet the minimum access approach clearance. Vacating the note on a plat may cause a conflict in the future between the proposed approach location and the future signalization of the intersection.

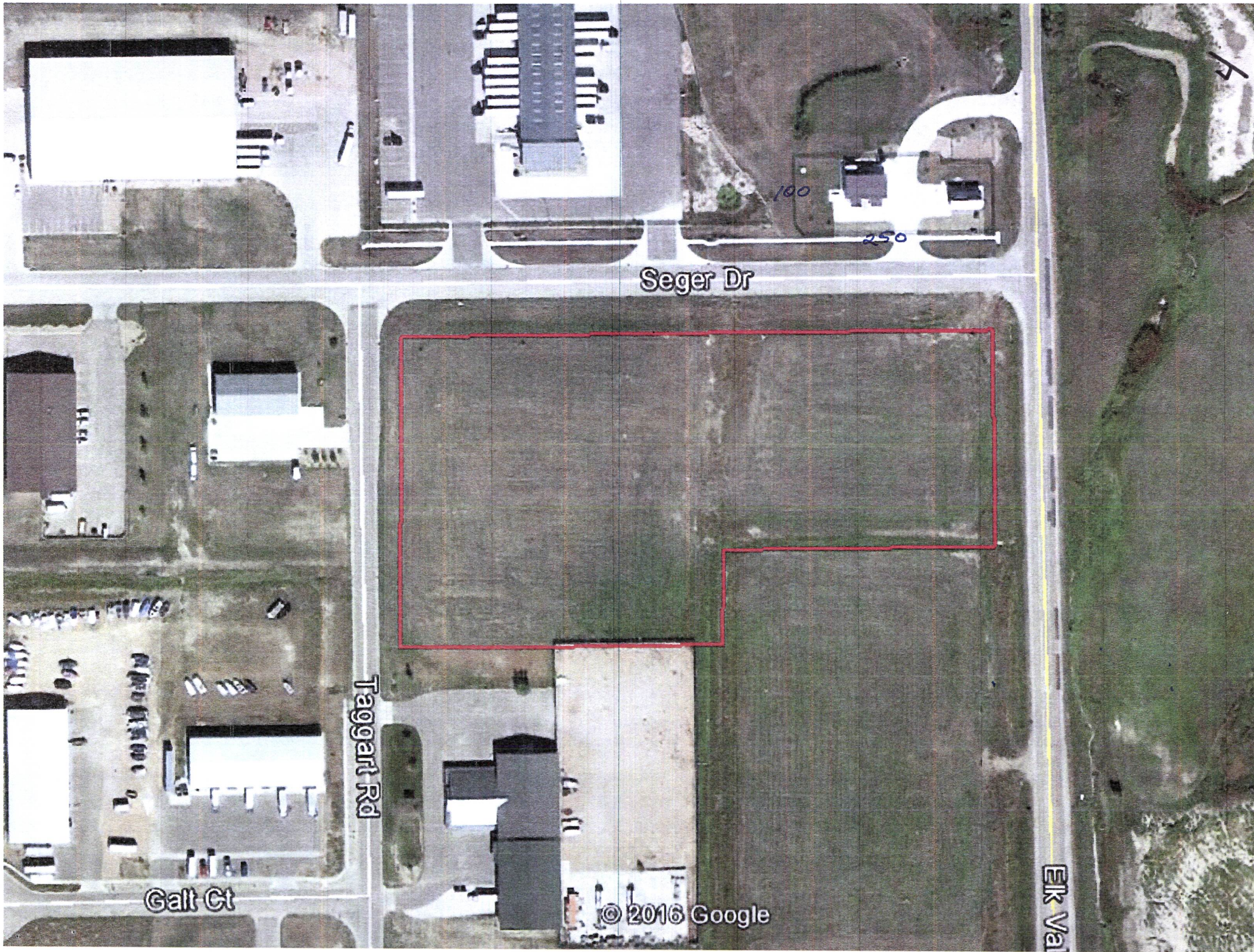
Please note that the denial of this Vacation of a Note on a Plat (File #16VE024) may be appealed to the City Council by submitting a written request to the Community Planning and Development Services Director within 10 days of the denial of the request. The ten day appeal period ends at 5:00 p.m. on December 15, 2016.

If you have any questions or wish to discuss this matter further, please feel free to contact me at (605) 394-4120.

Sincerely,



Dale Tech, P.E., L.S.
Interim Community Planning and Development Services Director,
Interim Public Works Director,
and City Engineer



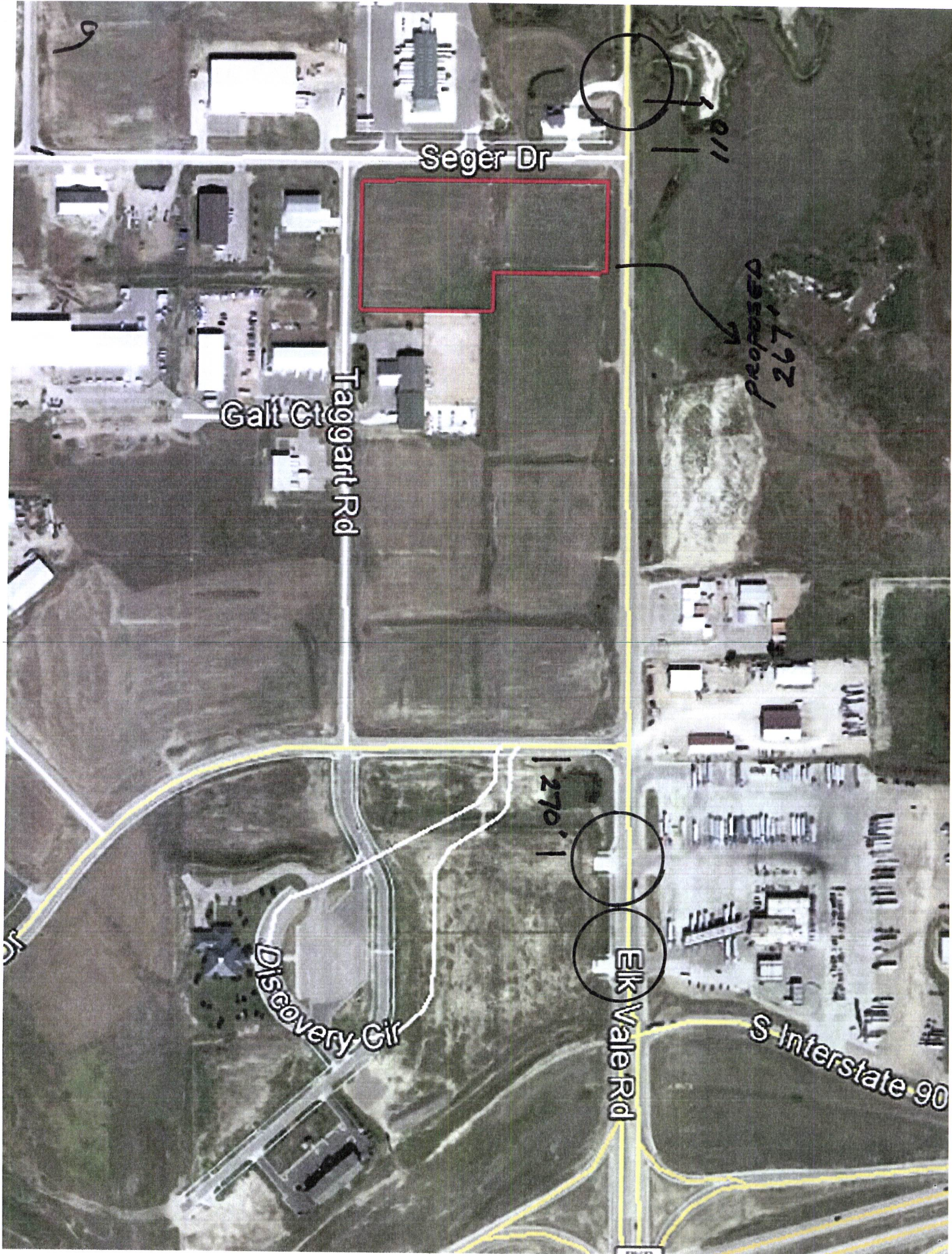
Seger Dr

Taggart Rd

Galt Ct

Elk Valley

© 2016 Google



Segger Dr

Galt Ct

Taggart Rd

Discovery Cir

Elk Vale Rd

S Interstate 90

proposed
1492
267

270'



TAGGART, D. W. E.

N89°57'07"W 387.75'

67.6

120.0°

-158.2

DRIVEWAY

20' WIDE MAJOR DRAINAGE EASEMENT
10' EACH SIDE OF PROPERTY LINE

N89°57'07"W 398.55'

LOT 7

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**RAPID CITY COMMUNITY PLANNING
& DEVELOPMENT SERVICES**

~~N89°57' 07" W 350.00~~

20.0

500°01'45"E 277.39°

PROPOSED PARKING
144' x 100'

-270.0°

DRIVEWAY

NN00°01'45"W 276.69°
 NN00°01'45"W 276.92°

NORTH ELK VALLEY ROAD
(100' R.O.W.)

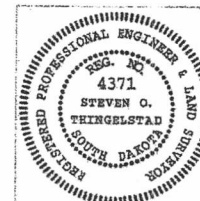


SCALE: 1" = 60'
NOVEMBER 7, 2016

BRITTON ENGINEERING &
LAND SURVEYING, INC
8035 BLACK HAWK ROAD, SUITE 5,
PO BOX 649 BLACK HAWK, SD 57718
PH. (605) 716-7988

LOT 6 OF BLOCK 1 OF 1-90
HEARTLAND SUBDIVISION, NE1/4 OF
SSEC 28. T2N, R8E, BHM, RAPID CITY
PENNINGTON COUNTY, SOUTH DAKOTA

SITE PLAN
EXCEL TRUCK AND TRAILER
RAPID CITY, SD 57701



Project No: 10-01-13024
Survey By: 1021
Drawn By: 1021
Designed By: 1021
Checked By: 1021
Date: 10/23/06

NOT FOR CONSTRUCTION
FINAL DESIGN REQUIRED BY OTHERS

SEGER DRIVE

LOT 6

LOT 5

BUILDING

PARKING

PARKING

NO RIGHT TURN SIGN

DO NOT ENTER SIGNS

CONCEPT FOR ONE LANE,
ONE WAY EXIT DRIVE

EXCEPT FOR ONE WAY DRIVE ON LOT 5,
THE PROPOSED SITE IMPROVEMENTS
SHOWN HEREON TRANSPOSED FROM
DRAWING BY OTHERS

DRIVE

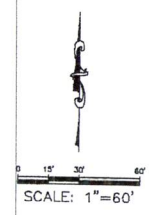
CONCEPT FOR RADIUS
STYLE ONE WAY EXIT
ONLY DRIVEWAY WITH
SIGNAGE AS INDICATED

CONCEPT RESTRIPE TO
"PROHIBIT" LEFT TURNS
INTO LOT 5

TAGGERT ROAD

ELK VALE ROAD

266.73'



F M G, Inc.
3700 Sturgis Road
Rapid City, SD 57702-0317
Phone: (605) 342-4222
www.fmgengr.com



File Number: 889
Location: SD
XXX
Surveyed By: SD
Date: SD
Designed By: SD
Drawn By: SD
Checked By: SD

DECEMBER 2016

**190 HEARTLAND
BUSINESS PARK**
RAPID CITY, SOUTH DAKOTA

Revision / Date

Sheet Name:
**LOT 5
DRIVEWAY
CONCEPT**

Sheet Number:
1
Total Sheets:
1

NOTE:
SITE
OF PI

FLOODPLAIN LINES
FROM FEMA MAP
(100 YEAR
APPROXIMATE ZONE A)

DIVERT DRAINAGE TO METERING
DAM IN ADVANCE OF STORM
SEWER CONSTRUCTION

GRADE 100'x100'x2'
DEEP SILT TRAP
BOTTOM EL=3193.20

GR.
DEE

L O C K PHASE 1

SEGER DRIVE

SILT FENCE

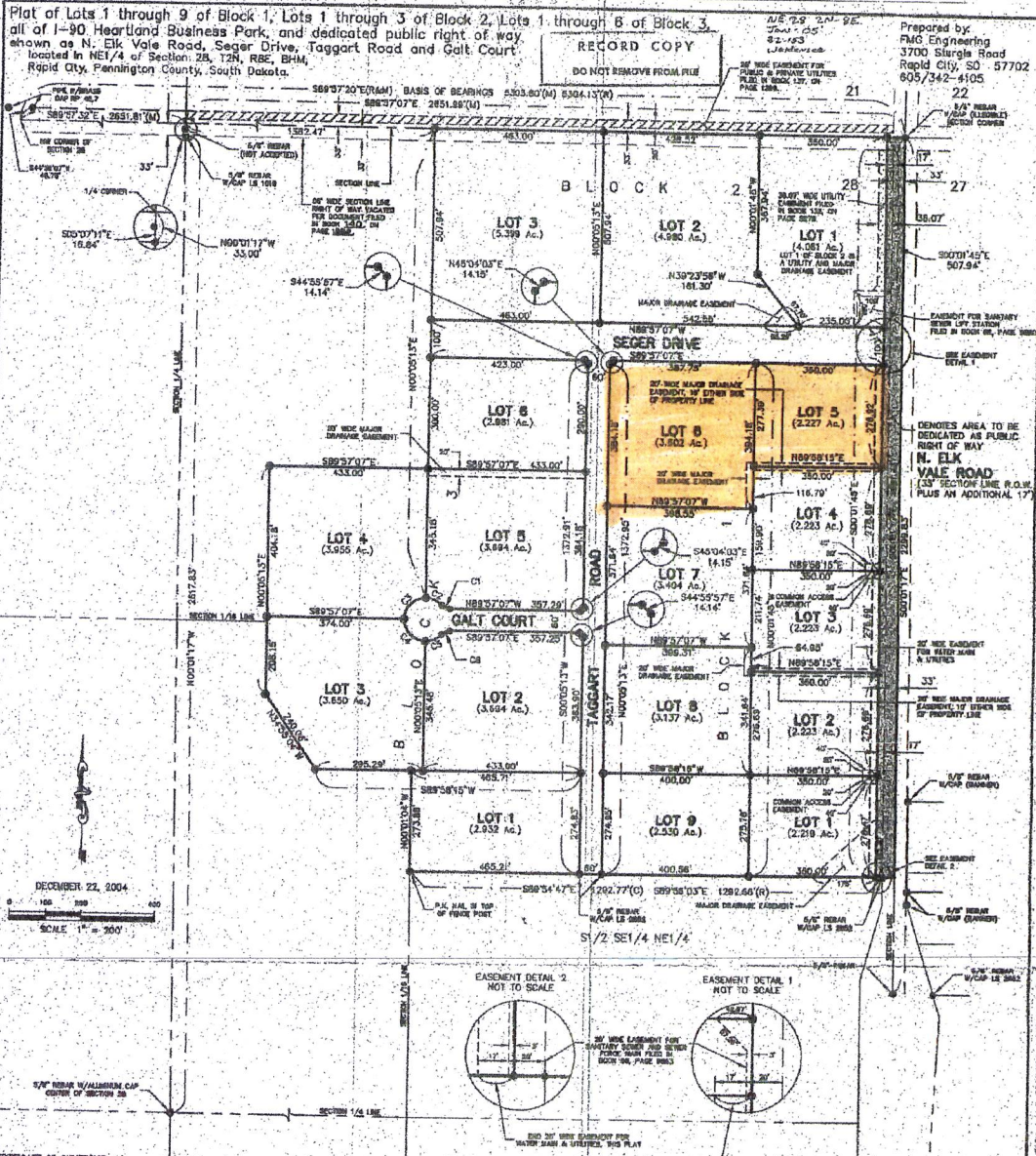
GALT COURT

TAGGART ROAD

10' drop @ 250'

S
C
S
G
(

8



CERTIFICATE OF OWNERSHIP
STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

We, the undersigned corporation and authorized corporate officer(s), do hereby certify that said corporation is the owner of the land shown and described herein; that the survey has been made at our request for the purposes indicated herein; that we do hereby approve the survey and within plot of said land; and that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

Any land shown on the within plot as dedicated to public right of way is hereby dedicated to public use and public utility use as such, forever, but such dedication shall not be construed to be a dedication of the fee of such land.

In witness whereof, we have hereunto set our hand and seal.

Owner: **RY-PAC DEVELOPMENT, LLC**
By: **Pat Linton** Title: **Member**

CERTIFICATE OF SURVEYOR
STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

I, **Derek J. Weidner**, Registered Land Surveyor No. 5419 in the State of South Dakota, do hereby certify that at the request of the owner(s) stated herein, I have surveyed that tract of land shown, and to the best of my knowledge and belief, the within plot is a representation of said survey. Comments or restrictions of miscellaneous record or private agreements that are not shown to me are not shown herein.

In witness whereof, I have hereunto set my hand and seal.

Derek J. Weidner 12-22-04
Derek J. Weidner



On the **22nd** day of **December**, 2004, before me, a Notary Public, personally appeared **Pat Linton** and **Mike Thompson**, known to me to be members of the corporation described in the foregoing instrument and acknowledged to the said open corporation signed the same.

Notary Public: **John J. Linton**

My commission expires: **My Commission Expires September 30, 2010**

CERTIFICATE OF HIGHWAY OF STREET AUTHORITY

The location of the proposed lot lines with respect to the highway or street as shown herein is hereby approved. Any approaches or access to the highway or street will require additional approval.

Dated this **22nd** day of **December**, 2004

Mayor / Street Authority

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD	LENGTH
C1	47°39'41"	30.00	24.83	N88°04'47"W	24.22'	
C2	47°34'20"	29.00	46.89	N88°07'37"W	47.50'	
C3	60°04'20"	88.00	62.72	S48°04'03"W	63.47'	
C4	60°3'40"	89.00	82.64	S44°28'37"E	83.41'	
C5	47°39'01"	29.00	46.87	N88°15'47"E	47.87'	
C6	47°34'41"	30.00	24.83	N88°14'32"E	24.22'	

CERTIFICATE OF GROWTH MANAGEMENT DIRECTOR

I, **Growth Management Director** of the City of Rapid City, have reviewed this plat and have found it to conform to the Subdivision requirements of Chapter 16.08.038 of the Rapid City Municipal Code and on each I have approved this Plat as Final Plat.

Dated this **22nd** day of **January**, 2005

Pat Linton
Growth Management Director of the City of Rapid City

CERTIFICATE OF COUNTY TREASURER

I, **County Treasurer** of Pennington County, do hereby certify that the within described plat conforms to the requirements of the County of Pennington.

Dated this **22nd** day of **December**, 2004

John J. Linton
County Treasurer of Pennington County

NOTES PERTAINING TO ACCESS

- Access from N. Elk Vale Road to Lots 1 and 2 of Block 1 and Lots 3 and 4 of Block 1 is only allowed at common access.
- No access to Lot 3 of Block 1 is shown from N. Elk Vale Road.
- No access to Lot 6 of Block 1 and to Lot 8 of Block 3 is shown from Seger Drive.

CERTIFICATE OF FINANCE OFFICER

I, **Finance Officer** of the City of Rapid City, do hereby certify that the Growth Management Director of the City of Rapid City has approved this Final Plat as shown herein.

Dated this **22nd** day of **January**, 2005

Pat Linton
Finance Officer of the City of Rapid City

CERTIFICATE OF COUNTY TREASURER

I, **County Treasurer** of Pennington County, do hereby certify that the within described plat conforms to the requirements of the County of Pennington.

Dated this **22nd** day of **December**, 2004

John J. Linton
County Treasurer of Pennington County

NOTES

- Denotes set 6/8" rebar with survey cap marked FMG Inc. 15 SD 6119.
- Denotes Found Survey Monument.
- Denotes Set 3/8" rebar (no cap) at right-of-way line PG's and PT's.
- Denotes measured previous plat or description.
- Denotes Measured in the survey.
- Denotes Calculated.
- Notes of Bearings: As shown herein.
- Notes of Distances: As shown herein.
- Notes of Easements: As shown herein.
- Notes of Other: As shown herein.

CERTIFICATE OF FINANCE OFFICER

I, **Finance Officer** of the City of Rapid City, do hereby certify that all special assessments shown on this plat are the same as those shown on the plat and are fully paid according to the records of my office.

Dated this **22nd** day of **January**, 2005

Pat Linton
Finance Officer of the City of Rapid City

CERTIFICATE OF COUNTY TREASURER

I, **County Treasurer** of Pennington County, do hereby certify that the within described plat conforms to the requirements of the County of Pennington.

Dated this **22nd** day of **December**, 2004

John J. Linton
County Treasurer of Pennington County

NOTES

- Any major drainage easement shown herein shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees and shrubs. These easements are granted to all public utilities for the purpose of installing, operating, maintaining, inspecting, and repairing such improvements and structures as it deems necessary to facilitate drainage from any source.
- Utility and Minor Drainage Easements: If on the interior sides of all lot lines.
- Totals area dedicated as public right of way this plat 7.808 acres.

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