

STAFF REPORT  
October 25, 2018

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**No. 18PL092 - Preliminary Subdivision Plan**

**ITEM 4**

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GENERAL INFORMATION:

|                                |   |
|--------------------------------|---|
| APPLICANT                      | Jerry Horst - Horst Properties, LLC   |
| AGENT                          | Ferber Engineering Co., Inc.  |
| PROPERTY OWNER                 | Horst Properties, LLC   |
| REQUEST                        | <b>No. 18PL092 - Preliminary Subdivision Plan</b>   |
| EXISTING<br>LEGAL DESCRIPTION  | Lot A of the NW1/4 of the NE1/4, less Lots H1 and H2 of Section 34, T2N, R7E, located in Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED<br>LEGAL DESCRIPTION  | Proposed Lots 1 thru 6 and Drainage Lot of Horst Subdivision  |
| PARCEL ACREAGE                 | Approximately 18.36 acres   |
| LOCATION                       | East of Rand Road, south of Commerce Drive  |
| EXISTING ZONING                | Light Industrial District   |
| FUTURE LAND USE<br>DESIGNATION | Light Industrial  |
| SURROUNDING ZONING             |   |
| North:                         | Light Industrial District   |
| South:                         | Light Industrial District   |
| East:                          | Light Industrial District   |
| West:                          | General Commercial - Light Industrial District  |
| PUBLIC UTILITIES               | City sewer and water  |
| DATE OF APPLICATION            | September 28, 2018  |
| REVIEWED BY                    | Vicki L. Fisher / Todd Peckosh  |

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. The water plan and analysis shall demonstrate that water service is adequate to meet estimated domestic flows and required fire

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- flows to support the proposed development.
2. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for the extension of a sewer main in Rand Road to provide service to proposed Lots 3 and 4;
  3. Upon submittal of a Development Engineering Plan application, a structural site plan shall be submitted for review and approval demonstrating that the existing structure located on proposed Lot 2 meets the setback requirements to the new lot lines. In addition, a parking plan shall be submitted for review and approval demonstrating that sufficient parking for the existing use is being provided on the proposed lot or the lot lines shall be adjusted accordingly;
  4. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
  5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  6. 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; and,
  7. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Subdivision Plan to create six industrial lots and a drainage lot. The lots range in size from 2.63 acres to 6.53 acres and are to be known as Lots 1 thru 6 and Drainage Lot of Horst Subdivision.

The property is located east of Rand Road and south of Commerce Drive. Currently, an industrial building is located on proposed Lot 2. The balance of the property is void of any structural development.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the installation of public improvements. Approval of a Preliminary Subdivision Plan by the City Council is required before an applicant can proceed with Development Engineering Plans and a Final Plat application for all or part of the area within the Preliminary Subdivision Plan application.

**STAFF REVIEW:**

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

**Zoning:** The property is zoned Light Industrial District. As previously noted, an industrial building is located on proposed Lot 2. To date, a site plan has not been submitted showing the existing development to ensure that setback requirements to the new lot lines are being met and that sufficient parking is being provided on the proposed lot for the existing use. As such, upon submittal of a Development Engineering Plan application, a structural site plan and parking plan must be submitted for review and approval as identified and the lot line(s) must be adjusted accordingly if required.

The City's Future Land Use Plan identifies the appropriate use of the property as Light

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Industrial. The proposed plat to create six industrial lots is in compliance with the adopted plan.

Water: A 12-inch water main is located in Rand Road and a 10-inch water main is located in Commerce Road. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. The water plan and analysis must demonstrate that water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development.

Sewer: An 8-inch sewer main is located in Commerce Road, a 12-inch sewer main traverses through the property in the proposed Drainage Lot and an 8-inch sewer main is located in a portion of Rand Road. The sewer main in Rand Road must be extended to provide sewer service to proposed Lots 3 and 4. Upon submittal of a Development Engineering Plan application, construction plans for the extension of the sewer main along Rand Road must be submitted for review and approval.

Rand Road: Rand Road is classified as an industrial street requiring that it be located in a minimum 60-foot right-of-way with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Rand Road is located in a varying right-of-way width of 100 feet to 120 feet and is constructed with a 24-foot wide paved surface, water and sewer along the northern 430 feet. On July 12, 2018, an Exception (18EX070) was approved waiving the requirement to improve the street to industrial street standards, with the Exception of sewer to serve proposed Lots 3 and 4 as noted above.

Commerce Road: Commerce Road is classified as a minor arterial street on the City's Major Street Plan requiring that the street be located in a minimum 100-foot wide right-of-way and constructed with a minimum 36-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Commerce Road is located in a 66-foot wide right-of-way and constructed with a 22-foot wide paved surface, water and sewer. On July 11, 2018, an Exception (18EX079) was approved waiving the requirement to improve Commerce Road with the stipulation that additional right-of-way be dedicated as needed for future grading. The applicant's proposed plat identifies the dedication of 17 additional feet of right-of-way along Commerce Road which meets this requirement.

Drainage: Element 1 of the Deadwood Avenue Drainage Basin flows through the property within the proposed Drainage Lot. To date, all detention and conveyance elements for the Deadwood Avenue Drainage Basin have not been completed. As such, on-site detention will be required as part of future building permits for the property. The applicant has indicated that the Drainage Lot will be conveyed to the City once a Final Plat has been approved. Due to the regional drainage within the proposed Drainage Lot and that an existing sanitary sewer main traverses through the Drainage Lot, staff supports the City accepting the Drainage Lot in the future once the concrete rubble and other various materials on the lot have been addressed.

Development Agreement: Chapter 16.12.040.K of the Rapid City Municipal Code states that a Development Agreement is required for construction approval. A Development Agreement

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is a tool which will provide the City and the developer with an instrument to document the financial and procedural requirements for the development of public improvements. Staff recommends that prior to submittal of a Final Plat application or prior to commencing construction, whichever occurs first, a Development Agreement be entered into with the City for all public improvements if applicable.

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. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.