No. 19PL096 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT: Renner Associates, LLC
AGENT: Renee Catron - Renner Associates, LLC
PROPERTY OWNER: Rapid Center, LLC
REQUEST: No. 19PL096 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION: Located in the SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION: Proposed Lots 4 thru 6 of Forefather Flats Subdivision (Three commercial lots)
PARCEL ACREAGE: Approximately 39.04
LOCATION: South of East Mall Drive and east of Dyess Avenue
EXISTING ZONING: General Commercial District
FUTURE LAND USE DESIGNATION: Mixed Use Commercial
SURROUNDING ZONING:
North: General Commercial District - Light Industrial District
South: Light Industrial District
East: General Commercial District (Planned Development)
West: General Commercial District
PUBLIC UTILITIES: City sewer and water
DATE OF APPLICATION: October 25, 2019
REVIEWED BY: Vicki L. Fisher / Roger Olsen

RECOMMENDATION:
Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:
1. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual;
2. Upon submittal of a Development Engineering Plan application, a Water and Sewer Utility...
Master Plan and a Master Drainage Plan for Phases I through IV shall be submitted for review and approval;

3. Upon submittal of a Development Engineering Plan application, a water design report and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, the water plan shall identify whether the water lines are public and/or private. Public water lines that pass through the development shall be located within an easement for the City to access and maintain. The plan shall also identify whether the water line to the east is public or private. The water plan shall also demonstrate that the water line is looped through the subdivision as required by the Infrastructure Design Criteria Manual. Any dead-end water lines, for phasing purposes, from 600 feet to 1,200 feet in length shall require written permission from the Public Works Director. Dead-end water lines in excess of 1,200 feet are prohibited. In addition, easements shall be provided as needed;

4. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer in accordance with the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. In addition, the sewer plan shall identify whether the sewer lines are public and/or private. Public sewer lines that pass through the development shall be located within an easement for the City to access and maintain. The plan shall also identify whether the sewer line to the east is public or private. In addition, easements shall be provided as needed;

5. Upon submittal of a Development Engineering Plan application, the existing 26-foot wide access and utility easement that terminates at the east lot line of proposed Lot 4 shall be extended through proposed Lot 4 and Lot 5 as per the approved Master Plan. In addition, construction plans for all of the proposed access and utility easement(s) shall be submitted for review and approval showing the easement(s) with a minimum width of 70 feet and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a commercial street or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;

6. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, easements shall be provided as needed;

7. Upon submittal of a Development Engineering Plan application, written documentation from the State Department of Transportation shall be submitted confirming acceptance of the proposed drainage into the State right-of-way;

8. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;

9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;

10. Prior to approval of the Development Engineering Plan application, the water and sewer plans shall be approved by the South Dakota Department of Environment and Natural Resources;

11. Prior to submittal of a Final Plat application, the plat document shall be revised to include
bearings and distances. The plat document shall also show the square footage of each lot in addition to the acreage;

12. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of private water and sewer lines and drainage elements. In addition, Major Drainage Easements shall be dedicated for all drainage improvements;

13. 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,

14. 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 three commercial lots, leaving an unplatted non-transferable balance. The lots are to be sized, 1.255 acres, 2.642 acres and 6.89 acres, respectively, and are to be known as Lots 4, 5 and 6 of Forefather Flats Subdivision.

The property is located approximately 1,400 feet east of the intersection of Dyess Avenue and E. Mall Drive on the south side of E. Mall Drive. Currently, 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 currently zoned General Commercial District and, as previously noted, is void of any structural development. The City’s Future Land Use Plan identifies the appropriate use of the property as Mixed Use Commercial. Mixed Use Commercial includes General Commercial District as a preferred zoning designation. As such, creating three commercial lots within this area is in compliance with the City’s Comprehensive Plan.

The applicant has submitted a site plan showing a future commercial structure and parking on each of the proposed lots. Until the specific use of each structure is identified, staff cannot confirm that the site plan complies with City regulations and requirements. Please note that approval of the Preliminary Subdivision Plan does not indicate approval of the site plan.

Master Plan(s): The applicant has submitted a master plan for the unplatted balance showing three future phases of development. The master plan also identifies internal access easements between the proposed lots providing access to previously approved approach locations along E. Mall Drive. This is in compliance with the previously approved Traffic Impact Study for the property. Engineering staff has noted that a master water and sewer utility plan and a master drainage plan for the entire property, inclusive of all four phases, must
be submitted for review and approval upon submittal of a Development Engineering Plan application.

**Access and Utility Easements:** The proposed plat identifies an existing 26-foot wide access and utility easement terminating at the east lot line of proposed Lot 4. However, the easement must be extended through Lot 4 and 5 in compliance with the previously approved master plan and Traffic Impact Study. The proposed plat also identifies a proposed 26-foot wide access and utility easement along the common lot line of Lots 4, 5 and 6 and a 59-foot wide access and utility easement extending from the proposed 26-foot wide easement to East Mall Drive. This access design is in compliance with the master plan and previously approved Traffic Impact Study. Upon submittal of a Development Engineering Plan application, the plat document must be revised to show the existing 26-foot wide access and utility easement that terminates at the east lot line of proposed Lot 4 extending through the property as identified. In addition, construction plans for all of the proposed access and utility easement(s) must be submitted for review and approval showing the easement(s) with a minimum width of 70 feet and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit water and sewer or criteria must be met for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

**Water:** The property is located in the Low Level Water Zone which serves elevations of 3,100 feet to 3,300 feet. The elevation of the proposed development is approximately 3,150. A 14-inch water main currently exists in E. Mall Drive. Upon submittal of a Development Engineering Plan application, a water design report and analysis prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report must demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, the water plan must identify whether the water lines are public and/or private. Public water lines that pass through the development must be located within an easement for the City to access and maintain. The plan must also identify whether the water line to the east is public or private. An agreement must be submitted for recording securing ownership and maintenance of any proposed private water lines. In addition, easements must be provided as needed.

**Sewer:** An 8-inch sewer main currently exists in E. Mall Drive. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer in accordance with the Infrastructure Design Criteria Manual must be submitted for review and approval. The design report must demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. In addition, the sewer plan must identify whether the proposed sewer lines are public and/or private. Public sewer lines that pass through the development must be located within an easement for the City to access and maintain. The plan shall also identify whether the sewer line to the east is public or private. An agreement must be submitted for recording securing
ownership and maintenance of any proposed private sewer lines. In addition, easements must be provided as needed.

**Drainage/Erosion and Sediment Control Plan:** The property is located in the Box Elder Drainage Basin. Drainage from the proposed development must be detained to pre-development rates. The drainage along the rear of Lot 6, along the I-90 right-of-way, is directed into the State right-of-way. Upon submittal of a Development Engineering Plan application, confirmation that this is acceptable to the State must be provided. In addition, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval for the proposed subdivision improvements. The drainage report must also address storm water quantity control and storm water quality treatment. In addition, easements must be provided as needed.

**Stormwater Management Plan:** The City Council has adopted a Stormwater Quality Manual and an Infrastructure Design Criteria Manual which provide criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure Design Criteria Manual be submitted for review and approval as required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

**Traffic Impact Study:** As previously noted, a Traffic Impact Study has previously been approved for the property. In addition, the City approved an update to the Study in 2007. The applicant should be aware that an update to the Study is not being required as a part of this plat. However, future development of the unplatted balance will require an update to the Study since it is more than two years old.

**Development Agreement:** Section 1.16.1 of the Infrastructure Development Criteria Manual states that a Development Agreement may be required for construction approval. A Development Agreement 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 approval of the Development Engineering Plan application, a Development Agreement must be entered into with the City for all public improvements.

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