

STAFF REPORT  
January 9, 2020

---

**No. 19PL105 - Preliminary Subdivision Plan**

**ITEM 6**

---

GENERAL INFORMATION:

APPLICANT	Fox LLC
AGENT	Renee Catron - Renner Associates, LLC
PROPERTY OWNER	Fox LLC
REQUEST	<b>No. 19PL105 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	Lot 4R of Moon Ridge Subdivision, located in Section 32, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 6 and 7 of Moon Ridge Subdivision
PARCEL ACREAGE	Approximately 12.525
LOCATION	2251 Moon Meadows Drive
EXISTING ZONING	General Commercial District General Commercial District (Planned Development)
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	Public District
South:	Highway Service District (Pennington County)
East:	General Commercial District (Planned Development Designation)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	November 10, 2019
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

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

STAFF REPORT  
January 9, 2020

---

**No. 19PL105 - Preliminary Subdivision Plan**

**ITEM 6**

---

- with City Standards, as required by the Infrastructure Design Criteria Manual. In addition, all information required per Chapter 16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval as applicable;
2. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show the existing 66-foot wide easement for private access and utilities as shown on Sheet C-2 of the plan set or include documentation that the easement has been vacated. If the easement is existing, construction plans shall be submitted for review and approval showing the easement 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 the easement shall be vacated. If the easement is vacated, the vacation recording document number shall be shown on the Final Plat document;
  3. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for a 16-inch water main and an 8-inch sewer main along Mount Rushmore Road. In addition, a design report shall be submitted for review and approval for the sewer main construction along Mount Rushmore Road. Utilities easements shall be provided as needed;
  4. Prior to Development Engineering Plan approval, an Oversize Agreement for the 16-inch water main along Mount Rushmore Road shall be entered into with the City;
  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. Prior to Development Engineering Plan approval, a South Dakota Department of Transportation (SDDOT) permit for the utilities to be located within the SDDOT right-of-way shall be obtained;
  7. 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;
  8. Prior to Development Engineering Plan approval, an engineer's cost estimate shall be signed and approved;
  9. Prior to Development Engineering Plan approval, any necessary off-site easements shall be secured;
  10. Prior to submittal of a Final Plat application, an Exception shall be obtained from City Council to allow an off-premise sign for "Fox Den", a storage facility, located on proposed Lot 6 to be located on proposed Lot 7 as a result of platting the property as proposed or the sign shall be removed from Lot 7;
  11. Prior to submittal of a Final Plat application, the Owner's Certificate shall be revised to add "as Co-Trustee" behind the name of Charise Fox for Mike Grubb;
  12. Prior to submittal of a Final Plat application, the plat document shall be revised to show U.S. Highway 16 as "Mount Rushmore Road" or "Mount Rushmore Road (U.S. Highway 16)";
  13. Prior to submittal of a Final Plat application, submit verification that the southern portion of the flagpole located on proposed Lot 6 has been annexed into the City limits or annex this portion of the property;
  14. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the existing drainage pond. In addition all necessary easements shall be shown on the plat document;
  15. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been accepted shall be posted and the subdivision inspection fees shall be paid; and,
  16. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

STAFF REPORT  
January 9, 2020

---

**No. 19PL105 - Preliminary Subdivision Plan**

**ITEM 6**

---

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to subdivide an existing commercial lot into two lots. The lots are to be known as Lots 6 and 7 of Moon Ridge Subdivision and are sized 7.723 acres and 4.803 acres, respectively.

The property is located in the southeast corner of the intersection of Moon Meadows Drive and Mount Rushmore Road (U.S. Highway 16). Currently, a storage facility known as “Fox Den” is located on proposed Lot 6. A pole sign for “Fox Den” is located on proposed Lot 7.

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. 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 two commercial lots within this area is in compliance with the City’s Comprehensive Plan.

Existing Development: As previously noted, a storage facility known as “Fox Den” is located on proposed Lot 6. As a result of platting the property, a pole sign for “Fox Den” will be located on proposed Lot 7 creating an off-premise sign. Pursuant to Chapter 17.50.100.G of the Rapid City Municipal Code, an Exception must be obtained from Council to allow the off-premise sign as a result of platting the property or the sign must be removed.

Utilities: The proposed lots are located in the Skyline Water Zone which serves elevations of 3,680 to 3,900 feet. The elevation of the property is approximately 3,830. There is an existing 14-inch water main along Moon Meadows Drive and along Mount Rushmore Road, north of Moon Meadows Drive. The City has identified the need for a 16-inch water main south of Moon Meadows Drive. The applicant is responsible to construct an 8-inch water main. As such, the 16-inch water main qualifies for oversize reimbursement. An 8-inch sewer main is existing along Moon Meadows Drive. There is no sewer along Mount Rushmore Road as it abuts the property. Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval for a 16-inch water main and an 8-inch sewer main along Mount Rushmore Road. In addition, a design report must be submitted for review and approval for the sewer main construction along Mount Rushmore Road. Prior to Development Engineering Plan approval, an Oversize Agreement for the 16-inch water main along Mount Rushmore Road must be entered into with the City.

Drainage: The property is located in the Landfill Drainage Basin. An existing pond is located

STAFF REPORT  
January 9, 2020

---

**No. 19PL105 - Preliminary Subdivision Plan**

**ITEM 6**

---

in the northeast corner of proposed Lot 7 which provides detention and water quality for the storage facilities located on proposed Lot 6. The proposed plat identifies this area being secured within a drainage easement. Upon submittal of a Final Plat application, an agreement must be submitted for recording securing ownership and maintenance of the existing drainage pond. In addition all necessary easements must continue to be shown on the plat document.

The applicant should be aware that a drainage plan will be required upon submittal of a building permit for future development on proposed Lot 7.

Street Evaluation(s): Moon Meadows Drive is located along the north lot line of the property and Mount Rushmore Road is located along the east lot line. Both streets are classified as principal arterial streets on the City's Major Street Plan requiring that they be located in a minimum 100-foot wide right-of-way and constructed with a minimum 36-foot wide paved surface. With the exception of water and sewer mains along Mount Rushmore Road as noted above, the streets are constructed to meet or exceed the design standards for a principal arterial street.

Access and Utility Easements: Sheet C-2 of the plan set identifies a 66-foot wide access and utility easement along the south lot line of proposed Lot 7. However, the plat document does not show the easement. Prior to submittal of a Development Engineering Plan application, the plat document must be revised to show the existing 66-foot wide easement for private access and utilities as shown on Sheet C-2 of the plan set or include documentation that the easement has been vacated. If the easement is existing, construction plans must be submitted for review and approval showing the easement 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 must meet criteria for obtaining an Exception. The applicant also has the option of vacating the easement and including the vacation recording document number on the Final Plat document.

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.