No. 21PL088 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT: Barry Zelickson
AGENT: Ian - Renner Associates, LLC
PROPERTY OWNER: Pocket Change LLC/Engler
REQUEST: No. 21PL088 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION: Lot 2 of Tract 4R of Arches Addition, located in Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION: Proposed Lot 2R and Lot 3 of Tract 4R of Arches Addition
PARCEL ACREAGE: Approximately 1.79 acres
LOCATION: 2700 Mount Rushmore Road
EXISTING ZONING: General Commercial District
FUTURE LAND USE DESIGNATION: Mixed-Use Commercial
SURROUNDING ZONING:
North: General Commercial District
South: General Commercial District
East: General Commercial District
West: General Commercial District (Planned Development)
PUBLIC UTILITIES: Rapid City
DATE OF APPLICATION: August 26, 2021
REVIEWED BY: Karl Bauer / Todd Peckosh

RECOMMENDATION:
Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:
1. Prior to submittal of a Final Plat application, the plat shall be revised to show the dedication of four additional feet of right-of-way and an additional five feet of right-of-way the first 200 feet as the street extends south from Cathedral Drive or an Exception shall be obtained. If an Exception is obtained, a copy of the approval document shall be submitted with the Final Plat application.
2. Prior to submittal of a Final Plat application, a utility easement shall be dedicated for the water main along the 30-foot wide access and utility easement extending at least
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5 feet north of the existing main to allow access and maintenance of the water main; and,

3. Prior to submittal of a Final Plat application, the plat document shall be revised to show bearings and distances.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to subdivide an existing lot into two lots. The lots will be sized 46,034.9 square feet (1.06 acres) and 31,883.69 square feet (0.73 acres), respectively, and will be known as Lots 2R and 3 of Tract 4R of the Arches Addition.

The property is located on the south side of Cathedral Drive between Mount Rushmore Road and Tower Road. Proposed Lot 2R is occupied by a 2,471 square-foot Taco Bell restaurant and Lot 3 is the site of a former Wendy’s restaurant. There are plans to demolish and replace the Wendy’s structure with a 53-stall parking lot. A Demolition Permit has not yet been issued for the Wendy’s structure.

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 as General Commercial District. The existing and proposed development on the two lots (restaurants and commercial parking lot) are permitted uses in this district.

The City’s Future Land Use Plan identifies the appropriate use of the property as Mixed-Use Commercial, which is consistent with the General Commercial District zoning designation. As such, the proposed plat is in accordance with the City’s Comprehensive Plan. Also, the intersection of Fairmont Boulevard/Cathedral Drive and Mount Rushmore Road is identified as a Community Activity Center and Mount Rushmore Road is identified as an Entrance Corridor. The property is also located near a Gateway. These classifications indicate that this area is a heavily trafficked area used by residents and visitors to the city alike, and a restaurant with a drive-thru is an appropriate use. Also, the additional parking will help relieve the adjacent hospital.

Land Use/Setbacks: As previously noted, there is a Taco Bell restaurant on proposed Lot 2R and there are plans to demolish the former Wendy’s restaurant and replace it with a parking lot. The existing Taco Bell meets all the required area regulations in the General Commercial District. Prior to issuance of a Building Permit, the applicant must demonstrate that all landscaping, parking, and signage requirements are met.

Tower Road: Tower Road is located along the east lot line of the subject property and is classified
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as a Collector street on the City’s Major Street Plan requiring that it be located in a minimum 68-foot wide right-of-way and constructed with a minimum 24-foot wide paved surface, curb, gutter, street light conduit, water, and sewer. In addition, the street intersects with Cathedral Drive, a Minor Arterial street as per the City’s Major Street Plan, which requires that an additional five feet of right-of-way be dedicated along Tower Road the first 200 feet as the street extends south from Cathedral Drive.

Tower Road is currently located in a 60-foot wide right-of-way and is constructed to Collector street standards. Prior to submittal of a Final Plat application, the plat must be revised to show the dedication of four additional feet of right-of-way and an additional five feet of right-of-way the first 200 feet as the street extends south from Cathedral Drive or an Exception must be obtained. If an Exception is obtained, a copy of the approval document must be submitted with the Final Plat application.

Access/Utility Easement: A 30-foot wide access and utility easement extends west from Tower Road along the south lot line of the subject property. The easement is classified as a commercial street requiring that it be located in a minimum 70-foot wide easement and constructed with a minimum 26-foot wide paved surface, curb, gutter, streetlight conduit, water, and sewer. Currently, the easement is constructed with an approximate 20-foot wide paved surface and water. Since this easement has been in place for many years to accommodate the traffic from the restaurants, it is impractical to widen the easement and/or improve the street section. As such, an administrative Exception has been granted. Subsequently, no additional improvements are needed for the easement as a part of this plat.

Sidewalks: Sidewalks are in place along Mount Rushmore Road, Fairmont Boulevard/Cathedral Drive, and Tower Road. No additional sidewalk improvements are needed.

Water/sewer: The property is served by Rapid City water and sewer. As previously noted, a water main is located along the 30-foot wide access and utility easement. However, the water main is either too close to the edge of the easement or entirely outside of the easement. As such, prior to submittal of a Final Plat application, the plat document shall be revised to show a five-foot wide utility easement directly north of the existing 30-foot wide access and utility easement to allow access and maintenance of the water main.

Platting Process: Since Exceptions have been granted waiving any subdivision improvements, a Development Engineering Plan application is not required. Instead, the applicant may submit a Final Plat application after City Council has approved this Preliminary Subdivision Plan application and the above noted stipulations of approval have been met.

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