

STAFF REPORT
August 24, 2023

No. 23PL070 - Preliminary Subdivision Plan

ITEM 5

GENERAL INFORMATION:

APPLICANT	Elmington Capital
AGENT	FMG Engineering
PROPERTY OWNER	AR Group LLC
REQUEST	No. 23PL070 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lots 1A, 2, 3, and 4, Anamosa Crossing Subdivision, and Tract 1, Century Subdivision, less Lots H1, H2, H3, RoW, and Portion of Tract 1 lying South and West of E. Anamosa RoW, all located in S32, T2N, R8E, B.H.M, Rapid City Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1AR and Lot 11, Anamosa Crossing Subdivision
PARCEL ACREAGE	42.66 acres
LOCATION	West of East North Street and East of Utica Street
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Mixed-Use Commercial
SURROUNDING ZONING	
North:	General Agricultural District – General Commercial District
South:	General Commercial District – Office Commercial District
East:	General Commercial District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	July 28, 2023
REVIEWED BY	Tanner Halonen / Emily Fisher

RECOMMENDATION:

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

1. Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.040 of the Rapid City Municipal Code;
2. Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;
3. Upon the submittal of a Development Engineering Plan application, engineering design

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- reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per §1.15 of 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;
4. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review identifying the construction of water and sewer in the Section Line Highway or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
 5. Upon the submittal of a Development Engineering Plan application, revised plans shall be submitted for review and approval identifying a connection to the Low Level Water Zone or written approval from the Public Works Director shall be obtained to connect to the High Level Water Zone. If written approval is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
 6. Upon the submittal of a Development Engineering Plan application, revised plans shall be submitted for review and approval identifying an alternate water main design, or the criteria for obtaining an Exception shall be met to allow a dead-end water main. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
 7. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
 8. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
 9. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
 10. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
 11. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary; and,
 12. Prior to the City's acceptance of 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 combine four existing lots into an 11.98-acre lot and to create a 30.68-acre lot, leaving an unplatted non-transferable balance. Respectively, the lots are to be known as Lot 1AR and Lot 11 of Anamosa Crossing.

The applicant has also submitted an Initial Planned Development Overlay application (File #23PD053) to allow the construction of an apartment complex on proposed Lots 1AR and to allow a solar panel field on proposed Lot 11. Please note that the solar panel field is being constructed to exclusively serve the apartment development.

The property is located west of East North Street and east of Utica Street and is currently undeveloped.

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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 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: Proposed Lot 1AR is currently zoned Office Commercial District and proposed Lot 11 is zoned General Commercial District. As previously, noted the applicant has submitted an Initial Planned Development Overlay application (File #23PD053) to allow the construction of an apartment complex on proposed Lots 1AR and to allow a solar panel field on proposed Lot 11. The underlying zoning of each lot supports the proposed uses, respectively.

The City's Comprehensive Plan identifies the Future Land Use of the property as Mixed-Use Commercial which lists the General Commercial District as a primary zoning district. The proposed plat is in compliance with the City's Comprehensive Plan.

Traffic Impact Study: The applicant has submitted a Traffic Impact Study for the proposed development. The study analyzed the impact of the development on the Anamosa Street/Camden Drive intersection and the East North Street intersections with Camden Drive and Century Road. In summary, the study states that "neither of these intersections are projected to meet signal warrants, thus no changes to traffic control are recommended. An exclusive southeast-bound right turn lane along Century Road is recommended to alleviate queue lengths. The Anamosa Street/East North Street signalized intersection will effectively serve as an outlet for facilitating the difficult left turns onto East North Street. Based on this recommendation, no additional street improvements are required other than meeting the minimum design standards pursuant to the Infrastructure Design Criteria Manual.

Master / Phasing Plan: The applicant has submitted a Master / Phasing Plan pursuant to §16.12.030 of the Rapid City Municipal Code. The plan identifies that proposed Lot 11 will be developed with solar arrays, Lots 1A, 2, 3, and 4 will be developed with six apartment buildings, and the southern non-transferable balance will continue to be used for stormwater runoff. The applicant should be apprised that approval of the Preliminary Subdivision Plan does not indicate approval of the Master / Phasing Plan.

Utica Street: Utica Street is located west of the subject property and is classified as an Industrial Street in the Infrastructure Design Criteria Manual. The Infrastructure Design Criteria Manual requires that this street be located in a minimum 60-foot wide right-of-way and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water, and sewer. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 for an Industrial Street must be submitted for review and approval for Utica Street or the criteria for obtaining an Exception must be met. If an Exception is obtained a copy of the approved document must be submitted with the Development Engineering Plan application.

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Section Line Highway and Unnamed Right-of-Way: An unimproved Section Line Highway extends east to west along the northern property line and an unnamed right-of-way perpendicular to East North Street extends east to west along the southeastern portion of the property. These right-of-ways are classified as Commercial Streets in the Infrastructure Design Criteria Manual which requires that they be located in a minimum 70-foot wide right-of-way and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water, and sewer. Upon the submittal of a Development Engineering Plan application, construction plans must be submitted for review identifying the construction of water and sewer in the Section Line Highway or the criteria for obtaining an Exception must be met. If an Exception is obtained a copy of the approved document must be submitted with the Development Engineering Plan application. All other improvements to the Section Line Highway and all improvements to the unnamed right-of-way required as part of this plat have been administratively waived by the Public Works Department.

East North Street: East North Street is located east of the subject property and is classified as a Principal Arterial Street on the City's Major Street Plan. The Infrastructure Design Criteria Manual requires that this 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, water, and sewer. All improvements to East North Street required as part of this plat have been administratively waived by the Public Works Department.

As a part of any future Building Permit application, property line sidewalks must be constructed along the street right-of-way frontages adjacent to the proposed lots or a Variance must be obtained from City Council. The developer is responsible for sidewalks at intersections including accessible handicap ramps, unbuildable lots, and previously platted and/or developed lots.

Water: The proposed development is located in the Low Level Water Zone which serves elevations of 3,100 feet to 3,300 feet. The plans submitted show a connection to the High Level Water Zone and identifies that proposed the water main terminates immediately north of Utica Street. Upon the submittal of a Development Engineering Plan application, revised plans must be submitted for review and approval identifying a connection to the Low Level Water Zone or written approval from the Public Works Director must be obtained to connect to the High Level Water Zone. If written approval is obtained a copy of the approved document must be submitted with the Development Engineering Plan application. Upon the submittal of a Development Engineering Plan application, revised plans must be submitted for review and approval identifying an alternate water main design, or the criteria for obtaining an Exception must be met to allow a dead-end water main. If an Exception is obtained a copy of the approved document must be submitted with the Development Engineering Plan application.

Sewer: Sanitary sewer exists in Camden Drive and north of the adjacent railroad. Upon the submittal of a Development Engineering Plan application, engineering design reports must be submitted for review and approval to demonstrate how the property will be served by sewer. All final engineering reports must 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.

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Drainage: Upon the submittal of a Development Engineering Plan application, a drainage report must be submitted for review and approval which addresses water quantity and quality. All final engineering reports must 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.

Development Agreement: Chapter 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.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. The resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. 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.