

STAFF REPORT  
March 23, 2017

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**No. 17PL014 - Preliminary Subdivision Plan**

**ITEM 4**

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GENERAL INFORMATION:

APPLICANT	HDRK Properties, LLC
AGENT	Renee Catron - Renner Associates, LLC
PROPERTY OWNER	HDRK Properties LLC
REQUEST	<b>No. 17PL014 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	A portion of Tract C of Rushmore Center, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 4 of Tract C of Rushmore Center
PARCEL ACREAGE	Approximately 4.620 acres
LOCATION	Lying east of Luna Avenue north of E. Anamosa Street
EXISTING ZONING	General Commercial District - General Commercial District (Planned Development Designation)
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	General Commercial District - General Commercial District (Planned Development Designation)
South:	General Commercial District
East:	General Commercial District (Planned Development)
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	February 21, 2017
REVIEWED BY	Vicki L. Fisher / Ted Johnson

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 document shall be revised to include the balance of the property within the proposed lot or as a separate Drainage Lot. If a Drainage Lot is proposed, a written document shall be secured identifying maintenance

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- and ownership of the Drainage Lot;
2. Prior to submittal of a Final Plat application, the plat document shall be revised to address redline comments; and,
  3. The Final Plat shall continue to show the dedication of 4 additional feet of right-of-way along Luna Avenue.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Subdivision Plan to create a 4.620 acre lot, leaving a non-transferable balance. The lot is to be known as Lot 4 of Tract C, Rushmore Center.

The property is located approximately 400 feet north of the intersection of Luna Avenue and E. Anamosa Street, on the east side of Luna Avenue. 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. In addition, a majority of the property is located within a Planned Development Designation. The Future Land Use Plan identifies the appropriate use of the property as Mixed Use Commercial. The applicant should be aware that a Final Planned Development must be approved prior to issuance of a building permit for the area of the property located within the Planned Development.

**Luna Avenue:** Luna Avenue is located along the west lot line of the property and is classified as a collector street on the City's Major Street Plan requiring that the street be located in a minimum 68 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Luna Avenue is located in a 60 foot wide right-of-way and constructed as a collector street section with the exception of a sidewalk, which is required to be constructed as a part of a future building permit. Four additional feet of right-of-way must be dedicated from this property. Future platting of the property located along the west side of Luna Avenue will require that the remaining 4 feet of right-of-way be dedicated. Please note that the proposed plat document identifies the dedication of four additional feet of right-of-way for Luna Avenue as required. Staff recommends that the Final Plat continue to show the dedication of the 4 additional feet of right-of-way along Luna Avenue.

**Non-transferable Balance:** As previously noted, the proposed plat leaves a non-transferable narrow strip of property located south of the proposed lot. This area of the property is currently located within a previously dedicated Drainage and Wetland Easement. As such, platting the property as proposed will create a future unbuildable lot. Subsequently, staff is

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recommending that prior to submittal of a Final Plat application, the plat document be revised to include the non-transferable balance of the property within the proposed lot or as a separate Drainage Lot. If a Drainage Lot is proposed, a written document must be secured identifying maintenance and ownership of the Drainage Lot.

Redline Comments: The City's GIS Division has noted a few changes on the proposed plat document. A copy of the redline comments have been provided to the applicant's consultant. Prior to submittal of a Final Plat application, the plat document must be revised to address the redline comments.

Platting Process: The proposed plat does not require any subdivision improvements. However, since a Minor Plat cannot include the dedication of right-of-way, the applicant submitted this Preliminary Subdivision Plan application. Without subdivision improvements, a Development Engineering Plan application is not required. Subsequently, upon City Council approval of the Preliminary Subdivision Plan, a Final Plat application can be submitted for review and approval. The applicant should be aware that since a Development Engineering Plan application is not required, the plat application submittal fee of \$250.00 plus \$20.00 per lot must be submitted with the Final Plat application.

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