

STAFF REPORT
February 22, 2018

No. 18PL003 - Preliminary Subdivision Plan

ITEM 5

GENERAL INFORMATION:

APPLICANT	Peco Kid LLC
AGENT	Jerry Foster - FMG, Inc.
PROPERTY OWNER	Peco Kid LLC
REQUEST	No. 18PL003 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lots 3 of Track C of Rushmore Center located in the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots A and B of Lot 3 of Tract C of Rushmore Center
PARCEL ACREAGE	Approximately 6.45 acres
LOCATION	East of Luna Avenue, south of Rushmore Crossing
EXISTING ZONING	General Commercial District (Planned Development)
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	General Commercial District (Planned Development)
South:	General Commercial District (Planned Development)
East:	General Commercial District (Planned Development)
West:	General Commercial District (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	January 23, 2018
REVIEWED BY	Vicki L. Fisher / Dan Kools

RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, construction plans for the 45 foot wide Access and Utility Easement shall be submitted for review and approval showing the easement 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 an Exception shall be obtained. If an Exception is obtained, a copy of the approved

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- Exception shall be submitted with the Development Engineering Plan application. In addition, the plat document shall be revised to show a non-access easement along the north lot line adjacent to the Access and Utility Easement;
2. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer shall be submitted for review and approval if subdivision improvements are required. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, easements shall be provided as needed;
 3. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual and a grading plan shall be submitted for review and approval if subdivision improvements are required;
 4. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed, permits required shall be approved and issued and 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;
 5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
 6. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 7. Upon submittal of a Final Plat application, the plat document shall be revised to show a shared approach on Lot B to provide access to Lot A as per the applicant's site plan. In addition, a non-access easement shall be dedicated along Lot A as it abuts Luna Avenue;
 8. Upon submittal of a Final Plat application, the plat title shall be revised to read "Lots 3A and 3B of Tract C of Rushmore Center";
 9. Upon submittal of a Final Plat application, the plat shall be revised to show an 8 foot wide minor drainage and utility easement along the common lot line between Lots A and B of Lot 3 or a note shall be added identifying the easement along the common lot line;
 10. 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,
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to subdivide an existing platted commercial lot into two lots. The lots are sized 2.945 acres and 3.50 acres, respectively, and are to be known as Lots A and B of Lot C of Tract C, Rushmore Crossing.

On August 10, 2017, the Planning Commission approved a Final Planned Development Overlay (File #17PD040) to construct a 4 story hotel with 121 rooms on proposed Lot B and to construct a 4,800 square foot commercial building on proposed Lot A as Phase Two of

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the project. On December 13, 2016, the City approved a Final Plat (File #16PL126) to create Tract C, which required the dedication of 4 additional feet of right-of-way along Luna Avenue.

The property is located approximately 400 feet north of the E. Anamosa Street and Luna Avenue intersection 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 zoned General Commercial District with a Planned Development Overlay. As previously noted, on August 10, 2017, the Planning Commission approved a Final Planned Development Overlay (File #17PD040) to construct a 4 story hotel with 121 rooms on proposed Lot B and to construct a 4,800 square foot commercial building on proposed Lot A as Phase Two of the project. The applicant should be aware that a Major Amendment to the Planned Development is required for the future development of Lot A if the proposed use of the commercial building and the hotel require a Traffic Impact Study be submitted for review and approval or if the use is a conditional use in the General Commercial District.

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 64 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 were dedicated from the property as a part of creating Tract C. As such, no additional right-of-way is required from this property. The additional right-of-way will be secured when the property on the west side of Luna Avenue is developed.

Access and Utility Easement: A 45 foot wide access and utility easement abuts the lot line of proposed Lot A, on the adjacent 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, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for the easement must be submitted for review and approval as identified or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application. In addition, the plat document must be revised to show a non-access easement along the north lot line adjacent

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to the access and utility easement.

Shared Approach: The applicant has submitted a site plan showing the future construction of the hotel and commercial building on the two proposed lots. The site plan shows that an approach located on proposed Lot B will be used to serve as access to Lot A. As such, upon submittal of a Final Plat application, the plat document must be revised to show a shared approach on Lot B to provide access to Lot A as per the applicant's site plan. In addition, a non-access easement must be dedicated along Lot A as it abuts Luna Avenue.

Drainage: Upon submittal of a Development Engineering Plan application, a drainage plan report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval if subdivision improvements are required. The drainage plan and report must address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. 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.

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