

STAFF REPORT
March 24, 2014

No. 16PL013 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT	Hagg Brothers, LLC
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNER	Hagg Brothers LLC
REQUEST	No. 16PL013 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	That portion of the SW1/4 of the NW1/4 Less Lot H1, Lot H2 and Less right-of-way located in Section 35, T1N, R7E and that portion of the SE1/4 of the NE1/4 east of Highway 16 located in Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 3 of Block 1, Lots 1 thru 3 of Block 2 of Moon Meadows
PARCEL ACREAGE	Approximately 36 acres
LOCATION	Along Moon Meadows Drive east of U.S. Highway 16
EXISTING ZONING	General Commercial District (Planned Development)
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	General Commercial District (Planned Development)
South:	Limited Agricultural District (Pennington County)
East:	General Agricultural District
West:	General Commercial District (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	February 12, 2016
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

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

1. Prior to submittal of a Development Engineering Plan application, redlined comments shall be addressed. In addition, the redlined comments shall be returned with the Development Engineering Plan application;

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2. Upon submittal of a Development Engineering Plan application, construction plans for U.S. Highway 16 shall be submitted for review and approval showing the construction of curb, gutter, sidewalk, a second water main north of Moon Meadows Drive, dual water mains south of Moon Meadows Drive and sewer south of Moon Meadows Drive or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, construction plans for Moon Meadows Drive shall be submitted for review and approval showing a second water main or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. In addition, access along Moon Meadows Drive, a principal arterial street, shall be limited based on the Infrastructure Design Criteria Manual. Shared approaches shall be considered and provided where possible;
4. Upon submittal of a Development Engineering Plan application, construction plans for Sammis Trail shall be submitted for review and approval showing the street 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 or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
5. Upon submittal of a Development Engineering Plan application, construction plans for the access and utility easement located along the east lot line shall be submitted for review and approval showing the easements with a minimum width of 70 feet with 10 additional feet of right-of-way the first 200 feet as it extends south from Moon Meadows Drive 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 or the easement shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. If the utility easement is vacated, written concurrence from all of the affected utility companies shall be submitted with the Development Engineering Plan application;
6. Upon submittal of a Development Engineering Plan application, construction plans for the 100 foot wide access and utility easement shall be submitted for review and approval showing the easements with a minimum width of 70 feet with 10 additional feet of right-of-way the first 200 feet as it extends south from Moon Meadows Drive 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 or the easement shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. If the utility easement is vacated, written concurrence from all of the affected utility companies shall be submitted with the Development Engineering Plan application;
7. Upon submittal of a Development Engineering Plan application, construction plans for Healing Way shall be submitted for review and approval showing the street located in a minimum 68 foot wide right-of-way with 10 additional feet of right-of-way the first 200 feet as it extends north from Moon Meadows Drive and constructed with a minimum 34 foot wide paved surface to allow parking on both sides of the street or 30 foot wide paved surface to allow parking on one side of the street or 24 foot wide paved surface and posted with no parking signs on both sides of the street and with 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 Exception shall be submitted with the Development

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- Engineering Plan application;
8. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway shall be submitted for review and approval. In particular, the construction plans shall show the dedication of a minimum 70 foot wide right-of-way and the construction of a 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained or the section line highway shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. If the section line highway is vacated, written concurrence from all of the affected utility companies shall be submitted with the Development Engineering Plan application;
 9. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development;
 10. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual;
 11. 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. 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;
 12. 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;
 13. 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;
 14. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 15. Prior to submittal of a Final Plat application, the subdivision name shall be changed from "Moon Meadows" to "Moon Meadows Subdivision" or "Moon Meadow Estates";
 16. Upon submittal of a Final Plat application, all necessary easements shall be dedicated including drainage easements, shared access easements and utility easements;
 17. The proposed plat shall be allowed as a phased development with all subdivision improvements needed to support a particular phase included in the construction plans for that phase;
 18. 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,
 19. Prior to the City's acceptance of the public improvements, a warranty surety shall be

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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 application to create six commercial lots ranging in size from 4.77 acres to 9.04 acres. The lots are to be known as Lots 1 through 3 of Block 1 and Lots 1 through 3 of Block 2, Moon Meadows.

The applicant has also submitted a Rezoning request (File #16RZ006) and an Initial Planned Development Overlay request (File #16PD008) to change the zoning designation of proposed Lot 3 of Block 2 from General Commercial District to Office Commercial District and to allow a 160 unit apartment complex to be constructed on the proposed lot. On March 10, 2016, the Planning Commission approved the Initial Planned Development Overlay request and recommended approval of the Rezoning request. The City Council will consider the Rezoning request at their March 21, 2016 City Council meeting.

The property is located along Moon Meadows Drive, east of U.S. Highway 16. 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 with a Planned Development Designation. As previously indicated, the applicant has also submitted a Rezoning request (File #16RZ006) and an Initial Planned Development Overlay request (File #16PD008) to change the zoning designation of proposed Lot 3 of Block 2 from General Commercial District to Office Commercial District and to allow a 160 unit apartment complex to be constructed on the proposed lot. The Future Land Use Plan identifies the appropriate use of the property as Mixed Use Commercial. Rezoning proposed Lot 3 of Block 2 as identified is in compliance with the Future Land Use Plan. The applicant should be aware that a Final Planned Development must be approved prior to issuance of a building permit. In addition, the subdivision improvements extending streets and utilities and addressing drainage must be complete prior to issuance of a Certificate of Occupancy.

Phasing: The applicant has submitted a Phasing Plan showing that proposed Lot 3 of Block 2 and a drainage improvement on proposed Lot 3 of Block 1 as Phase One of the development. Phase Two will include Lot 1 of Block 1 and Lot 1 of Block 2. The balance of the proposed plat, Lots 2 and 3 of Block 1 and Lot 2 of Block 2 are identified as Phase Three. The applicant should be aware that all subdivision improvements needed to support each phase of the development must be included in the construction plans for that phase.

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U.S. Highway 16: U.S. Highway 16 is located along the west lot line of the property and is classified as a principal arterial street on the City's Major Street Plan. A principal arterial street must be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains. U.S. Highway 16 is currently located within a varying right-of-way width of 280 feet to 400 feet and constructed as a divided highway with two north bound lanes and two south bound lanes, street light conduit at the Moon Meadows Drive intersection and extended through the intersections and a water and sewer main on the west side of the right-of-way from Moon Meadows Drive north. Upon submittal of a Development Engineering Plan application, construction plans for U.S. Highway 16 must be submitted for review and approval showing the construction of curb, gutter, sidewalk, a second water main north of Moon Meadows Drive, dual water mains south of Moon Meadows Drive and a sewer main south of Moon Meadows Drive 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.

Moon Meadows Drive: The applicant's site plan shows Moon Meadows Drive extending east from U.S. Highway 16 through the proposed subdivision. Moon Meadows Drive is classified as a principal arterial street on the City's Major Street Plan requiring that the street be located in a minimum 100 foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet from the intersection of U.S. Highway 16 and constructed with a pavement width of 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains. The site plan identifies the dedication of right-of-way as required for a principal arterial street. In addition, the street has been constructed as an arterial street with the exception of a second water main. As such, upon submittal of a Development Engineering Plan application, construction plans showing the construction of a second water main must be submitted for review and approval 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.

Sammis Trail: Sammis Trail is located along the south lot line of the property and is classified as a commercial street requiring that it 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. Sammis Trail is currently located in a 66 foot wide right-of-way and constructed with a 26 foot wide graveled surface. Upon submittal of a Development Engineering Plan application, construction plans for Sammis Trail must be submitted for review and approval showing the street 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 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.

Healing Way: The Major Street Plan identifies Healing Way as a collector street extending north from Moon Meadows Drive along the east lot line of the property. As a collector street, Healing Way must be located in a minimum 68 foot wide right-of-way and constructed with a pavement width of 24 feet with no on-street parking, 30 feet with parking on one side or 34 feet with parking on two sides. In addition, curb, gutter, sidewalk, street light conduit, sewer and water must be constructed along the street. Upon submittal of a Development

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Engineering Plan application, construction plans for Healing Way as identified must be submitted for review and approval 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.

Healing Way intersects with Moon Meadows Drive, a principal arterial street. As such, an additional ten feet of right-of-way must be dedicated along Healing Way the first 200 feet as it extends north from Moon Meadows Drive or an Exception must be obtained. If an Exception is obtained, a copy must be submitted with the Development Engineering Plan application.

50 foot wide Access Easement: An existing 50 foot wide access easement extends south of Moon Meadows Drive along the east lot line of the property. The easement is classified as a commercial street requiring that it 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. Currently, the easement is constructed with a 24 foot wide graveled surface. Upon submittal of a Development Engineering Plan application, construction plans for the easement must be submitted for review and approval showing the street 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 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.

The access easement intersects with Moon Meadows Drive, a principal arterial street. As such, an additional ten feet of right-of-way must be dedicated along easement the first 200 feet as it extends north from Moon Meadows Drive or an Exception must be obtained. If an Exception is obtained, a copy must be submitted with the Development Engineering Plan application.

100 foot wide access and utility easement: A 100 foot wide access and utility easement extends through lots 1 through 3 of Block 2 and is classified as a commercial street requiring that the street be located in a minimum 70 foot wide right-of-way with 10 additional feet of right-of-way the first 200 feet as it extends south from Moon Meadows Drive and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. If the easement is vacated written concurrence from all of the affected utility companies shall be submitted with the Development Engineering Plan application.

Section Line Highway: A north-south section line highway is located in the western portion of the property. The section line highway is classified as a commercial street requiring that it 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 submittal of a Development Engineering Plan application, construction plans as identified must be submitted for review and approval as identified or an Exception must be obtained or the section line highway must be vacated. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application. If the section line highway is vacated, written concurrence from all of the affected utility

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companies must be submitted with the Development Engineering Plan application.

Access: Access along Moon Meadows Drive, a principal arterial street, will be limited based on the Infrastructure Design Criteria Manual. Shared approaches must be considered and provided where possible.

Drainage: The property is located within the Landfill Drainage Basin. 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. 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.

Water: The property is located in the Skyline Pressure Zone. A water main currently exists along U.S. Highway 16 and Moon Meadows Drive. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report must demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development.

Sewer: An 8 inch sewer main currently exists in Moon Meadows Drive, Healing Way and U.S. Highway 16. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval. The design report must demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity for this phase of the development and for future development up stream.

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 assuming compliance with the stated stipulations.