

STAFF REPORT
October 4, 2012

No. 12PL057 - Preliminary Subdivision Plan

ITEM 4

GENERAL INFORMATION:

APPLICANT	Arleth & Associates
AGENT	CPP Rushmore, LLC
PROPERTY OWNER	CPP Rushmore LLC
REQUEST	No. 12PL057 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lot 5A of Block 2 of Rushmore Crossing, north 1/2 of vacated Sunnyside Avenue, east 1/2 vacated Riley Avenue and the vacated portion of Cambell Street adjacent to said Lot 5 located in the W1/2SW1/4 of Section 29 and the E1/2 SW1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 5A1 - 5A7 of Block 2 of Rushmore Crossing
PARCEL ACREAGE	Approximately 21.27 acres
LOCATION	South of Eglin Street and east of Luna Drive
EXISTING ZONING	General Commercial District (Planned Development)
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	General Commercial District
South:	Low Density Residential District and General Agricultural District
East:	General Commercial District (Planned Development)
West:	General Commercial District (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	September 7, 2012
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction

STAFF REPORT
October 4, 2012

No. 12PL057 - Preliminary Subdivision Plan

ITEM 4

- approval shall be executed if subdivision improvements are required. In addition, permits required for construction 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;
2. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show the existing culvert located on proposed Lot 5A2 and 5A3 within a minimum 20 foot wide drainage easement. In addition the plat document shall be revised to show the existing water and sewer service lines extending across proposed Lot 5A1 within a utility easement;
 3. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show the previously vacated section line highway as it extends through the property. In addition, the book and page referencing the recording information shall be shown on the plat;
 4. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show access to proposed Lot 5A3. In addition, upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing the access secured within a minimum 70 foot wide right-of-way or easement 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;
 5. Upon submittal of a Development Engineering Plan application, construction plans for the existing access easements shall be submitted for review and approval showing the easements with a minimum width of 70 feet and constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer or an Exception shall be obtained;
 6. Upon submittal of a Development Engineering Plan application, the proposed alignment of sewer and water services to Lots 5A1 and 5A2 shall be submitted for review and approval. In addition, verification shall be submitted demonstrating that adequate sewer depth exists to serve future development of the two lots;
 7. 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 shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
 8. Upon submittal of a Development Engineering Plan application, proof of perpetual ownership and maintenance of the drainage ponds located on proposed Lots 5A3 and 5A6 shall be submitted for review and approval;
 9. Upon submittal of a Development Engineering Plan application, a cost estimate shall be submitted for review and approval if subdivision improvements are required;
 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 if subdivision improvements are required.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to subdivide an existing platted lot into seven lots. The lots are to be known as Lots 5A1 through 5A7, Block 2, Rushmore Crossing.

STAFF REPORT
October 4, 2012

No. 12PL057 - Preliminary Subdivision Plan

ITEM 4

The property is located south of Eglin Street and east of Luna Drive. Improved paved parking areas are located on proposed Lots 5A5 and 5A7. In addition, a drainage facility is constructed on proposed Lot 5A3 and Lot 5A6, respectively. The balance of the property is currently 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 application and has noted the following considerations:

Zoning: The property is currently zoned General Commercial District with a Planned Development. The applicant should be aware that any future development of the property will require that a Final Planned Development be submitted for review and approval prior to issuance of a building permit.

Utility and Access Easement: A previously platted utility and access easement is located along the north lot line of proposed Lot 5A6 and along portions of Lots 5A1, 5A2 and 5A7 to secure internal access within the Rushmore Crossing development. The easement(s) have a varying width of 35 feet to 55 feet and are constructed, in part, with a 26 foot wide paved surface. The easements are classified as a commercial street requiring that they have a minimum 70 foot width and be constructed with a minimum 26 foot wide pavement, curb, gutter, sidewalk, street light conduit, water and sewer. As such, staff recommends that prior to submittal of a Development Engineering Plan application, construction plans be submitted for review and approval showing the easements 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 must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Access to Lot 5A3: A non-access easement is located along the north lot line of proposed Lot 5A3. The existing access easement located south of proposed Lot 5A3 does not abut the lot and, as such, does not provide legal access to the parcel. Prior to submittal of a Development Engineering Plan application, the plat document must be revised to show access to proposed Lot 5A3. In addition, upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval showing the access secured within a minimum 70 foot wide right-of-way or easement 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.

Utilities: The applicant has not demonstrated how water and sewer service will be provided to proposed Lots 5A1 and 5A2. The existing service lines extending across Lot 5A1 are currently serving Lot 4, Block 2 of Rushmore Crossing and cannot be utilized to serve

STAFF REPORT
October 4, 2012

No. 12PL057 - Preliminary Subdivision Plan

ITEM 4

additional lots unless they are converted or replaced with mains. Staff recommends that upon submittal of a Development Engineering Plan application, the proposed alignment of sewer and water services to Lots 5A1 and 5A2 be submitted for review and approval. In addition, verification must be submitted demonstrating that adequate sewer depth exists to serve future development of the two lots.

Drainage: A detention pond currently exists on proposed Lot 5A3 and proposed Lot 5A6, respectively. The detention ponds are secured within a previously platted "Drainage and Wetlands Easement". In order to ensure continued maintenance of the detention ponds, staff recommends that upon submittal of a Development Engineering Plan application, proof of perpetual ownership and maintenance of the detention ponds be submitted for review and approval.

Labeling: The plat document does not currently show the previously vacated section line highway that extends through the property. As such, staff recommends that prior to submittal of a Development Engineering Plan application, the plat document be revised to show the previously vacated section line highway, including the book and page referencing the recording information.

A drainage culvert currently exists across a portion of Lot 5A2 and 5A3. The plat document does not show the culvert secured within a drainage easement. As such, prior to submittal of a Development Engineering Plan application, the plat document must be revised to show the existing culvert located within a minimum 20 foot wide drainage easement.

Water and sewer service lines currently exist across proposed Lot 5A1 to serve an adjacent property. The plat document does not show the service lines secured within a utility easement. As such, prior to submittal of a Development Engineering Plan application, the plat document must be revised to show the existing water and sewer service lines extending across proposed Lot 5A1 within a utility easement.

Signage: Subdividing the property as proposed will result in several lots with minimal or no public street frontage. Please note that this will significantly limit or eliminate allowable signage on those lots pursuant to the City's Sign Code regulations. Even though this is not a platting issue, the applicant should be aware of this restriction so that the plat can be adjusted if needed to allow future signage on the property as development occurs.

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 if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

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

STAFF REPORT
October 4, 2012

No. 12PL057 - Preliminary Subdivision Plan

ITEM 4

In particular, 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.