

STAFF REPORT  
October 24, 2013

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**No. 13PL103 - Preliminary Subdivision Plan**

**ITEM 8**

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GENERAL INFORMATION:

APPLICANT	Jake Boerger
PROPERTY OWNER	Franklin O Simpson
REQUEST	<b>No. 13PL103 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	A portion of the S1/2 of the NE1/4 lying south of the I-90 right-of-way and a portion of the N1/2 of the SE1/4, located in the S1/2 of the NE1/4 and in the N1/2 of the SE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract S of Fountain Springs Business Park
PARCEL ACREAGE	Approximately 2.24 acres
LOCATION	Laying south of North Plaza Drive
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Agricultural District
East:	Light Industrial District
West:	General Agricultural District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	September 27, 2013
REVIEWED BY	Vicki L. Fisher / Brandon Quiett

RECOMMENDATION:

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

1. A Final Plat shall be submitted for review and approval.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to create a 2.223 acre lot, leaving an unplatted non-transferable balance. The lot is to be known as Tract S, Fountain Springs Business Park.

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The applicant has also submitted a Preliminary Subdivision Plan application (File #13PL097) for the unplatted non-transferable balance to create 4 lots. The subdivision is to be known as Lots T, U, V and W of Fountain Springs Business Park. The lots will range in size from 1.3 acres to 5.72 acres. The Planning Commission considered this Preliminary Subdivision Plan at their October 10, 2013 Planning Commission meeting and recommended approval with stipulations. The City Council will consider the item at their October 21, 2013 City Council meeting.

The property is located approximately 400 feet east of the intersection of Fountain Plaza Drive and North Plaza Drive on the south side of North Plaza Drive. 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 Agriculture District. The City's Future Land Use Plan identifies the appropriate use of the property as commercial. The applicant should be aware that the property must be rezoned in compliance with the City's Future Land Use Plan prior to issuance of a building permit for any commercial uses.

**North Plaza Drive:** North Plaza Drive is classified as a minor arterial street on the City's Major Street Plan requiring that it 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, water and sewer. Currently, North Plaza Drive is located within a 66 foot wide right-of-way and constructed with a 24 foot wide paved surface, water and sewer. The Preliminary Subdivision Plan shows the dedication of 17 additional feet of right-of-way along North Plaza Drive as it abuts the proposed lot. The applicant has submitted and the City has approved an Exception request (File #13EX222) to waive the requirement to provide additional pavement, curb, gutter and street light conduit with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements. As such, no subdivision improvements are required as a part of this plat.

**Platting Process:** As previously noted, subdivision improvements are not required as a part of this plat. As such, a Development Engineering Plan application is not required. Upon City Council approval of the Preliminary Subdivision Plan, a Final Plat can be submitted for review and approval. Please note that plat application fees will be required as a part of 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.