

STAFF REPORT
March 10, 2016

No. 16PL012 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT	Founders Park, LLC
AGENT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Founders Park LLC
REQUEST	No. 16PL012 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	A portion of the remainder of Block 1 of Riverside Addition and a portion of the unplatted portion of the W1/2 of the NW1/4 of the SE1/4 of Section 35, T2N, R7E, located in the W1/2 of the NW1/4 of the SE1/4 of Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 4, 5A and 5B of Founders Park Subdivision
PARCEL ACREAGE	Approximately 2.20 acres
LOCATION	West of Founders Park Drive
EXISTING ZONING	Office Commercial District
FUTURE LAND USE DESIGNATION	Employment Center
SURROUNDING ZONING	
North:	Office Commercial District
South:	Office Commercial District
East:	Office Commercial District
West:	Office Commercial District
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. Upon submittal of a Development Engineering Plan application, construction plans for the public access easement(s) shall be submitted for review and approval showing the

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- easement with a minimum width of 70 feet and constructed with curb, gutter, sidewalk, street light conduit and water along the southern portion of the easement 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;
2. Upon submittal of a Development Engineering Plan application, a site plan showing separate water and sewer services to each lot in conformance with City Standards shall be submitted for review and approval 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, confirmation that street light conduit exists along Founders Park Drive shall be submitted or construction plans shall be submitted for review and approval showing the installation of street light conduit 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;
 4. 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;
 5. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction 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 Registered Professional Engineer;
 6. 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;
 7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if subdivision improvements are required;
 8. Prior to submittal of a Final Plat application, the plat document shall be revised to show the lots labeled as Lots 3, 4 and 5;
 9. Prior to submittal of a Final Plat application, the plat document shall be revised to dimension and label the proposed 4.5 foot wide additional right-of-way being dedicated along Founders Park Drive;
 10. Prior to submittal of a Final Plat application, the standard 8 foot wide minor drainage and utility easement note shall be revised to exempt the common lot line between Lots 5A and 5B. In addition, a note shall be added dedicating a 6 foot wide maintenance easement along this common lot line;
 11. 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,
 12. 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:

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The applicant has submitted a Preliminary Subdivision Plan application to create three lots to be sized 1.77 acres, 0.44 acres and 0.55 acres, respectively. The lots will be known as Lots 4, 5A and 5B of Founders Park Subdivision.

The applicant has also submitted a Major Amendment to a Planned Development (File #16PD005) to allow an office building to be constructed on proposed Lots 5A and 5B. In addition, the applicant has submitted an Initial Planned Development (File #16PD006) to allow a separate office building on proposed Lot 4.

The property is located approximately 1,200 feet north of the intersection of Omaha Street and Founders Park Drive on the west side of Founders Park Drive. An office building is currently under construction on proposed Lots 5A and 5B. Lot 4 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 Office Commercial District with a Planned Development Overlay.

As noted above, the applicant is proposing to construct an office building to extend across proposed Lots 5A and 5B. In addition, a separate office building is being proposed for Lot 4. A Final Planned Development must be submitted for review and approval for proposed Lot 4 prior to issuance of a building permit.

Founders Park Drive: Founders Park Drive is located along the east lot line of the property and is classified as a collector street on the City's Major Street Plan. A collector street must be located in a minimum 68 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Founders Park Drive is located in a 59 foot wide right-of-way and constructed in compliance with collector street design standards with the exception of street light conduit. It is unclear if the street light conduit has been previously installed. As such, upon submittal of a Development Engineering Plan application, confirmation that street light conduit exists along Founders Park Drive must be submitted or construction plans must be submitted for review and approval showing the installation of street light conduit 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 plat document shows 4.5 feet of additional right-of-way along Founders Park Drive. However, the right-of-way is not labeled as being dedicated or dimensioned. As such, prior to submittal of a Final Plat application, the plat document must be revised to dimension and label the proposed 4.5 foot wide additional right-of-way.

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Public Access Easement: An existing 26 foot wide public access easement loops through the proposed three lots. The easement is classified as a commercial street requiring that it have a minimum width of 70 feet and be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, the easement has been constructed as a 26 foot wide paved access aisle within an existing parking lot that also extends across all three lots. A City water main exists in the northern portion of the looped easement and a City sewer main exists in the southern portion of the looped easement. Upon submittal of a Development Engineering Plan application, construction plans for the public access easement must be submitted for review and approval showing the easement with a minimum width of 70 and constructed with curb, gutter, sidewalk, street light conduit and water along the southern portion of the easement 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.

Utilities: City water and sewer have already been constructed to serve the proposed lots. Upon submittal of a Development Engineering Plan application, a site plan showing separate water and sewer services to each proposed lot in conformance with City Standards 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.

Drainage: The property is located within the Morningside Drainage Basin. The property is also located within the 100 year federally designated floodplain. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer must 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. A Floodplain Development Permit is required for any construction within the 100 year federally designated floodplain area. In addition, easements must be provided as needed.

Easement: The plat document identifies the dedication of an 8 foot wide minor drainage and utility easement along all interior lot lines as required. However, the proposed office building to be constructed on proposed Lots 5A and 5B extends across the common lot line, within the proposed minor drainage and utility easement. As such, prior to submittal of a Final Plat application, the standard 8 foot wide minor drainage and utility easement note must be revised to exempt the common lot line between Lots 5A and 5B. In addition, a note must be added dedicating a 6 foot wide maintenance easement along this common lot line.

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.

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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, if subdivision improvements are required.

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