

STAFF REPORT  
April 26, 2018

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**No. 18PL022 - Preliminary Subdivision**

**ITEM 8**

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GENERAL INFORMATION:

APPLICANT	MDD LLC
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNER	MDD LLC
REQUEST	<b>No. 18PL022 - Preliminary Subdivision</b>
EXISTING LEGAL DESCRIPTION	The S1/2 of the SE1/4 Less McMahon Industrial Park #2 and right-of-way located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1 of East Haines Subdivision
PARCEL ACREAGE	Approximately 5 acres
LOCATION	East of Haines Avenue, across from Kathryn Avenue
EXISTING ZONING	General Commercial District (Planned Development Designation) / General Agriculture District
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	General Agricultural District
South:	General Commercial District
East:	General Agricultural District
West:	General Commercial District (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	March 29, 2018
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, construction plans for Haines Avenue shall be submitted for review and approval showing the dedication of 4 additional feet of right-of-way and the construction of sewer, sidewalk and a second water main or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;

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2. Prior to approval of the Development Engineering Plan application, submitted 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 Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual
3. 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. In addition, utility easement(s) shall be dedicated as needed;
4. 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. In addition, utility easement(s) shall be dedicated as needed;
5. Upon submittal of a Development Engineering Plan application, proposed sewer service to the unplatted balance of the property located east of the proposed lot shall be addressed. In particular, the applicant shall identify if a public sewer main is proposed to be extended through proposed Lot 1 in order to provide gravity sewer service to this area. In addition, a complete Engineer's analysis of the sanitary sewer basin, sewer master plan and proposed public sewer layout as needed to ensure gravity service to all adjacent and surrounding parcels shall be submitted for review and approval. Utility easement(s) shall be dedicated as needed;
6. Upon submittal of a Development Engineering Plan application, a geotechnical report including an analysis of soil corrosivity and pavement design for any required subdivision improvements shall be submitted for review and approval as needed;
7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, easements shall be dedicated as needed;
8. 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 shall 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;
9. 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;
10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
11. Prior to submittal of a Final Plat application, the plat document shall show a non-access along Haines Avenue with the exception of a 60 foot wide opening that aligns with

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- Kathryn Avenue located on the west side of Haines Avenue;
12. Prior to submittal of a Final Plat application, the plat document shall show the existing easement and/or proposed easement for the overhead power line located along the north property line. If the easement is existing, then the plat document shall show the recording information for the existing easement;
  13. 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,
  14. 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 application to create a five acre lot, leaving an unplatted 51.28 acre balance. The lot is to be known as Lot 1, East Haines Subdivision. The applicant has also submitted a Master Plan for the unplatted balance identifying a future residential development to be constructed in nine phases.

The property is located east of Haines Avenue, across from Kathryn 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:** A majority of the proposed lot is currently zoned General Commercial District with a Planned Development Designation. The northern portion of the proposed lot, approximately 140 feet, is currently zoned General Agriculture District. The applicant should be aware that a Final Planned Development must be approved by the Planning Commission prior to issuance of a building permit for development of the property located within the Planned Development Designation. In addition, proposed use(s) within the northern 140 feet must be in compliance with the General Agriculture District or this area of the proposed lot must be rezoned to support alternate development. Please note that the City's Future Land Use Plan identifies the appropriate use of the entire proposed lot as Urban Neighborhood. However, the area located directly south of the proposed lot is identified as Mixed Use Commercial on the City's Future Land Use Plan. Since a majority of the proposed lot is currently zoned General Commercial District and is located within an existing commercial corridor along Haines Avenue, it may be appropriate to amend the Future Land Use Plan to allow general commercial uses (Mixed Use Commercial) on the proposed lot which then supports rezoning the northern 140 feet to General Commercial District.

**Master Plan:** As previously noted, the applicant has submitted a Master Plan for the balance of

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the property showing the future proposed residential development being constructed in nine phases. The future phases of development will require additional subdivision improvements including improvements along Mall Drive, a principal arterial street located along the south property boundary, and along future North Maple Avenue, a collector street. These streets as well as the proposed internal streets must be constructed in compliance with the City's Infrastructure Design Criteria Manual. The phasing of the development should be evaluated carefully by the developer to ensure that all proposed phases of development are in compliance with City criteria including water looping and to ensure that sufficient access is being provided for each phase of the development.

Haines Avenue: Haines Avenue is located along the west lot line of the proposed lot and 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 and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains. Currently, Haines Avenue is located in an approximate 92 foot wide right-of-way and constructed with a 36 foot wide paved surface, curb, gutter, street light conduit, an 8 foot wide sidewalk in the west boulevard of the street and a water main. In addition, a 6 inch force main from the Country Road Lift Station exists within Haines Avenue right-of-way. However, a gravity sewer main does not currently exit in the adjacent right-of-way. Upon submittal of a Development Engineering Plan application, construction plans for Haines Avenue must be submitted for review and approval showing the dedication of 4 additional feet of right-of-way and the construction of sewer, sidewalk along the east boulevard of the street and a second water main or an Exception must be obtained. If an Exception is obtained a copy of the approved document must be submitted with the Development Engineering Plan application.

Non-access Easement: As noted, Haines Avenue is identified as a principal arterial street on the City's Major Street Plan. The proposed lot is located along the east side of Haines Avenue within an existing commercial corridor. In order to identify and secure future access to the proposed lot, staff recommends that the plat document show a non-access along Haines Avenue with the exception of a 60 foot wide opening that aligns with Kathryn Avenue located on the west side of Haines Avenue.

Water: The property is located within the City's service area. 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. In addition, utility easement(s) must be dedicated as needed.

Sewer: As previously noted, a 6 inch force main from the Country Road Lift Station exists within Haines Avenue right-of-way located adjacent to the proposed lot. However, a gravity sewer main does not currently exit in the adjacent right-of-way. 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 in conformance with the Infrastructure Design Criteria Manual. In addition, proposed sewer service to the unplatted

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balance of the property located east of the proposed lot must be addressed. In particular, the applicant must identify if a public sewer main is proposed to be extended through proposed Lot 1 in order to provide gravity sewer service to this area. In addition, a complete Engineer's analysis of the sanitary sewer basin, sewer master plan and proposed public sewer layout as needed to ensure gravity service to all adjacent and surrounding parcels must be submitted for review and approval. Utility easement(s) must also be dedicated as needed.

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