

STAFF REPORT
May 23, 2019

No. 19PL034 - Preliminary Subdivision Plan

ITEM #15

GENERAL INFORMATION:

APPLICANT	Legacy Land Company
AGENT	Mike Stetson - KTM Design Solutions, Inc.
PROPERTY OWNER	Legacy Land Company
REQUEST	No. 19PL034 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Legacy Subdivision, located in the NE1/4 of the SW1/4 and the NW1/4 of the SE1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1 of Block 1 and Lot 1 thru 20 and Common Lot of Block 2 of Legacy Subdivision
PARCEL ACREAGE	Approximately 17.23 acres
LOCATION	West of Derby Lane at the current western terminus of Kentucky Lane
EXISTING ZONING	Low Density Residential District - Low Density Residential District II
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Development)
South:	Low Density Residential District II
East:	Low Density Residential District II
West:	Low Density Residential District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	April 26, 2019
REVIEWED BY	Fletcher Lacock / Roger Olsen

RECOMMENDATION:

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

1. Prior to submittal of a Development Engineering Plan application, an agreement between the City and Developer shall be signed identifying the timing and responsibilities of each party to convert the Low Level Zone water main in Hanover to the Palo Verde zone. In

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- addition, the agreement shall be recorded with the Final Plat;
2. Upon submittal of a Development Engineering Plan application, the red line plan comments shall be addressed. In addition, the redline plan comments shall be returned with the Development Engineering Plan application;
 3. Upon submittal of a Development Engineering Plan application, construction plans for Hanover Drive shall be submitted for review and approval. The construction plans shall be in compliance with Figure 2-1 of the Infrastructure Design Criteria Manual 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;
 4. 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;
 5. 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;
 6. 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. The drainage plan shall confirm that there will be no inter-basin transfer of stormwater between the South Truck Route Drainage Basin and the South Robbinsdale Drainage Basin. In addition, easements shall be provided as needed;
 7. Upon submittal of a Development Engineering Plan application, the applicant shall submit plans demonstrating access to Drainage Lot 2 with an all-weather surfacing;
 8. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 9. Upon submittal of a Development Engineering Plan application, the utility plans shall be revised to identify service lines in compliance with the Infrastructure Design Criteria Manual;
 10. Upon submittal of a Development Engineering Plan application, a covenant agreement shall be provided securing the timing of future construction to ensure that the water main improvements are completed;
 11. 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;
 12. 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;
 13. Prior to submittal of a Final Plat application, a covenant agreement shall be provided

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- identifying maintenance and ownership of any proposed drainage elements;
14. Prior to submittal of a Final Plat connecting Hanover Drive with Kentucky Lane, a Road Name change shall be submitted by the applicant and approved by the City Council changing Kentucky Lane to Hanover Drive;
 15. 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,
 16. 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 20 single-family residential lots, two drainage lots, and a lot proposed for duplex development. The single-family lots will range in size from 0.15 acres to 0.17 acres and are to be known as Lots 1 through 20 of Block 2 of Legacy Subdivision. Drainage Lots 1 and 2 of Block 2 are 0.41 and 0.54 acres in size. The lot proposed for duplex development will be 13.18 acres in size and will be known as Lot 1 of Block 1 of Legacy Subdivision.

The applicant has also submitted two Rezoning requests (File #19RZ011 and File #19RZ012) from Low Density Residential District I and II to Medium Density Residential District and an Initial Planned Development Overlay (File #19PD017) to allow a duplex development. The property is located between Hanover Drive and Kentucky Lane south of East Minnesota Street. 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 western half of the property is currently zoned Low Density Residential District I and the eastern half of the property is zoned Low Density Residential District II. Low Density Residential District allows for single family residences while Low Density Residential District II allows for townhomes in addition to single family residences. The applicant has also submitted two Rezoning requests (File #19RZ011 and #19RZ012) for the north portion of the proposed development to Medium Density Residential and an Initial Planned Development Overlay (File #19PD017) to allow a duplex development. All of the proposed lots meet the size and street frontage requirements of the districts.

Phasing: The applicant has submitted a phasing plan showing that all of the property will be developed at the same time providing the connection of Hanover Drive east to Kentucky Lane. Prior to submittal of a Final Plat connecting Hanover Drive with Kentucky Lane, a Road Name change must be submitted by the applicant and approved by the City Council changing

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Kentucky Lane to Hanover Drive

Streets: The proposed plat includes extending Hanover Drive through the property. Hanover Drive is identified as a local street requiring that it be located in a minimum 52-foot wide right-of-way and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant's preliminary plan sheets identify that Hanover Street will be constructed as identified. As such, upon submittal of a Development Engineering Plan application, construction plans for Hanover Street must be submitted for review and approval as identified on the preliminary plan sheets and in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code 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.

Drainage: The property is located within both the South Truck Route Drainage Basin and the South Robbinsdale Drainage Basin. No inter-drainage basin transfer can occur pursuant to 4.1.2 of the Infrastructure Design Criteria Manual. Drainage from this property is of concern to the City and needs to be addressed according to Rapid City Design Criteria demonstrating that the development does not negatively impact adjacent properties. 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 must be submitted for review and approval for the proposed subdivision improvements. The drainage report must address storm water quantity control and storm water quality treatment. In addition, the drainage plan must confirm that there will be no inter-basin transfer of stormwater between the South Truck Route Drainage Basin and the South Robbinsdale Drainage Basin. Easements must also be provided as needed.

Proposed Drainage Lot 2 is located on the south side of the development and does not abut a public street but is connected to Drainage Lot 1 by a 20 foot wide Drainage Easement. Upon submittal of a Development Engineering Plan application, the applicant must submit plans demonstrating access to Drainage Lot 2 with an all-weather surfacing. Prior to submittal of a Final Plat application, a covenant agreement must be provided identifying maintenance and ownership of any proposed drainage elements.

Water: There are 8-inch water mains existing in Hanover Drive and Kentucky Lane, respectively, and are currently on the Low Level Water Pressure Zone. An 8-inch water main is stubbed to this parcel from Field View Drive located south of the property between Lots 10 and 11 of Block 8 of The Meadows Subdivision. This water main is currently on the Palo Verde Pressure Zone. The majority of this proposed development is located above elevation 3,300 and will be in the Palo Verde Water Service Zone. In 2014, the City agreed to participate in the cost of extending approximately 550 feet of water main in the future extension of Hanover Drive to allow for the creation of a Palo Verde water main loop. In addition to extending the water distribution piping, several existing homes may need to have PRV's (pressure reducing valves) installed and be switched to the Palo Verde Zone. Upon submittal of a Development Engineering Plan application, an agreement must be entered securing the timing of future construction to ensure that the water main improvements are completed. Prior to submittal of a Development Engineering Plan application, an agreement between the City and Developer must be signed identifying the timing and responsibilities of each party to convert the Low

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Level Zone water main in Hanover to the Palo Verde Zone. Prior to issuance a building permit, the Hanover water main must be switched from the Low Level Zone to the Palo Verde zone.

The applicant has submitted an Initial Planned Development Overlay (File #19PD017) to develop proposed Lot 1 of Block 1 with 60 duplex units. The utility plans identify that a water service line will be looped from the west side of the development and connect to the water main on the east side of the development. Upon submittal of a Development Engineering Plan application, the utility plans must be revised to identify service lines in compliance with the Infrastructure Design Criteria Manual.

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, easements must be secured as needed.

Sewer: City sewer currently exists along Hanover Drive and Kentucky Lane. 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.

The applicant has submitted an Initial Planned Development Overlay (File #19PD017) to develop proposed Lot 1 of Block 1 with 60 duplex units. The utility plans identify two sewer service lines to the duplex development. Upon submittal of a Development Engineering Plan application, the utility plans must be revised to identify service lines in compliance with the Infrastructure Design Criteria Manual.

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.