

STAFF REPORT
August 8, 2019

No. 19PL059 - Preliminary Subdivision Plan

ITEM 5

GENERAL INFORMATION:

APPLICANT	BH Capital 4, LLC
AGENT	Dream Design International, Inc.
PROPERTY OWNER	BH Capital 4, LLC
REQUEST	No. 19PL059 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	A portion of the NE1/4 of the SE1/4 and the NW1/4 of the SE1/4 less Menard Subdivision, located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 1 thru 3 of Block 1 of Shepherd Hills Subdivision (3 multi-family lots)
PARCEL ACREAGE	Approximately 25.30 acres
LOCATION	East of E. Anamosa Street south of Menards
EXISTING ZONING	Low Density Residential District II - Medium Density Residential District
FUTURE LAND USE DESIGNATION	Mixed Use Commercial/Urban Neighborhood
SURROUNDING ZONING	
North:	General Commercial District (Planned Development)
South:	Medium Density Residential District
East:	General Agricultural District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	July 12, 2019
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

- Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:
1. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, permits required for construction

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- 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;
2. Upon submittal of a Development Engineering Plan application, construction plans for E. Anamosa Street, a principal arterial street, shall be submitted for review and approval showing the street located in a minimum 100-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
 3. Upon submittal of a Development Engineering Plan application, construction plans for E. Philadelphia Street, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way with an additional 10-feet of right-of-way the first 200 feet extending from E. Anamosa Street and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. In addition, prior to submittal of a Development Engineering Plan application for Phase 1B, the construction plans shall include that portion of E. Philadelphia Street located east of the property unless already constructed as a part of Shepherd Hills West Subdivision or the construction plans shall provide a street connection to N. Valley Drive or an Exception shall be obtained from the City Council to allow more than 40 dwelling units with one point of access;
 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. Prior to approval of a Development Engineering Plan application, the applicant shall enter into an agreement with the City detailing cost obligations, scope and schedule of replacing the existing low level 12-inch water main with a new 20-inch low level water main in E. Anamosa Street from E. North Street to the development. In addition, easements shall be provided as needed;
 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. In particular, the sewer design report shall evaluate the existing 8-inch sewer main(s) from the proposed development to Sedivy Lane to verify adequate capacity is available to serve the proposed development. In addition, easements shall be provided as needed;
 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

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- 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 provided as needed;
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 for the required subdivision improvements;
 8. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
 9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
 10. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements;
 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.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to create three multi-family lots as Phase 1B of the Shepherd Hills Subdivision. In particular, the lots are to be known as Lots 1 through 3 of Block 1 and are to be sized 7.25 acres, 7.96 acres and 10.10 acres, respectively.

The applicant has also submitted a Rezoning request (File #19RZ026) to change the zoning designation on a portion of proposed Lot 3 from Low Density Residential District II to Medium Density Residential District. The balance of the property is currently zoned Medium Density Residential District.

An Initial Planned Development Overlay (File #19PD033) has been submitted to allow an apartment development to be constructed on the three proposed lots. The apartment development will consist of 607 apartment units with garages, a leasing office and a clubhouse.

The property is located south and east of the southern terminus of E. Anamosa 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

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considerations:

Zoning: As previously noted, the applicant has submitted a Rezoning request to change the zoning designation on a portion of proposed Lot 3 from Low Density Residential District II to Medium Density Residential District. The balance of the property is currently zoned Medium Density Residential District. The applicant has also submitted an Initial Planned Development Overlay application to allow a 607 unit apartment development with amenities on the three proposed lots. The Medium Density Residential District is intended to provide medium to high population density which supports an apartment development on the subject property.

The City's Future Land Use Plan identifies the appropriate use of the property as Mixed Use Commercial with a small area in the southeast corner as Urban Neighborhood. However, the applicant's Master Plan for Shepherd Hill Subdivision supports changing the Future Land Use Plan designation to Urban Neighborhood on the balance of the subject property. As such, the City is in the process of amending the plan to show the subject property as Urban Neighborhood. The Comprehensive Plan Amendment to the Future Land Use Plan (File #19CA002) was approved at the June 25, 2019 Planning Commission meeting and will be considered at the August 19, 2019 City Council meeting. Upon approval, the proposed plat and future development of the property will be in compliance with the City's Comprehensive Plan.

E. Anamosa Street: E. Anamosa Street is identified as a principal arterial street on the City's Major Street Plan requiring that it 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, water and sewer. An oversize request can be submitted to the City Council for consideration for the extra cost of constructing the street beyond the cost of a collector street. However, the request must be submitted and approved prior to submittal of a Final Plat application.

Upon submittal of a Development Engineering Plan application, construction plans for E. Anamosa Street, must be submitted for review and approval showing the street located in a minimum 100-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or criteria for obtaining an Exception or Variance (sidewalk) must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

E. Philadelphia Street: East Philadelphia Street is identified as a collector street on the City's Major Street Plan requiring that it be located in a minimum 68-foot wide right-of-way with an additional 10-feet of right-of-way the first 200 feet as it extends from E. Anamosa Street and constructed with a varying pavement width depending upon on-street parking requirements, curb, gutter, sidewalk, street light conduit, water and sewer. In order to provide the required on-street visitor parking for a single family residential development, a minimum pavement width of 34-feet will be required. Upon submittal of a Development Engineering Plan application, construction plans for E. Philadelphia Street must be submitted for review and approval as identified and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or criteria for obtaining an Exception or Variance (sidewalk) must be met. If an Exception is obtained, a copy of the approved document must be submitted with the

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Development Engineering Plan application.

Section 2.6 of the Infrastructure Design Criteria Manual states that “a street with a single access shall not be used for more than forty dwelling units. A second access shall be provided when more than forty (40) dwelling units are accessed from a street”. The applicant’s Master Plan identifies that E. Anamosa Street and E. Philadelphia Street, including that portion being constructed as a part of the Shepherd Hills West Subdivision, will serve as two points of access to the proposed development. The applicant has also indicated that future development of an adjacent property will provide a street connection to N. Valley Drive. Prior to submittal of a Development Engineering Plan application for Phase 1B, the construction plans must include that portion of E. Philadelphia Street located east of the subject property unless already constructed as a part of Shepherd Hills West Subdivision or provide a street connection to N. Valley Drive or an Exception must be obtained from the City Council to allow more than 40 dwelling units with one point of access.

Water: The property is located in the North Rapid Pressure Zone which serves elevations of 3,300-feet to 3,450-feet. Currently, the North Rapid Pressure Zone is not available within this area to serve the development. As such, the developer is proposing to convert the existing Low Level 12-inch water main to the North Rapid Pressure Zone. This will require that the applicant enter into an agreement with the City detailing cost obligations, scope and schedule of replacing the existing 12-inch water main with a new 20-inch Low Level water main in E. Anamosa Street from E. North Street to the development. In addition, the 16-inch water main to be constructed in E. Philadelphia Street as a part of the associated Shepherd Hills West Subdivision must be completed to meet looping requirements. The applicant should be aware that any oversize costs must be approved prior to Final Plat approval.

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, prior to approval of a Development Engineering Plan application, the applicant must enter into the agreement with the City as noted above. Easements must also be provided as needed.

Sewer: An existing 8-inch sewer main is located along the northwest side of the development in E. Anamosa Street. The main increases to 10-inches downstream but then reduced back to an 8-inch main before reaching S.D. Highway 44 and remains an 8-inch main until Sedivy Lane, where it then flows into a 12-inch main.

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 particular, the sewer design report must evaluate the existing 8-inch sewer main(s) from the proposed development to Sedivy Lane to verify adequate capacity is available to serve the proposed development. In addition, easements must be provided as needed.

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Drainage: The property is primarily located in the Perrine Drainage Basin. Detention Pond #201 is located west of the proposed development and has recently been designed and constructed as a part of Menard Subdivision. The pond appears to address detention and water quality requirements for the area west of E. Anamosa Street and north of E. Philadelphia Street, assuming impervious areas comply with pond design assumptions. Easements and conveyances must be secured from the property to the pond, across Shepherd Hills West Subdivision, in order to utilize the pond for detention and water quality. The 100-year storm event must be evaluated to ensure that the street(s) do not overtop and discharge runoff onto private property without easement(s) and conveyance elements in place to handle the flow. The depth of water over the gutter flow line may need to be lower than the usually allowable 18-inches.

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, upon submittal of a Final Plat application, an agreement must be submitted for recording securing ownership and maintenance of any proposed drainage elements. Major Drainage Easements must also be dedicated for the proposed drainage improvements.

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.

Traffic Impact Study: Section 2.17 of the Infrastructure Design Criteria Manual states that a Traffic Impact Study is required for any residential development with 150 or more dwelling units. Due to the size of the three multi-family lots, a Traffic Impact Study is required. The applicant has identified improvements at the intersection of E. Philadelphia Street and E. Anamosa Street to ensure that traffic from the Shepherd Hills development is being accommodated. As such, an Exception has been granted waiving the requirement to provide a Traffic Impact Study.

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