No. 19PL063 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT: Daene Boomsma - Broker Dividend Fund, LLC
AGENT: Longbranch Civil Engineering, Inc.
PROPERTY OWNER: Broker Dividend Fund, LLC
REQUEST: No. 19PL063 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION: A portion of Government Lot 1, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION: Proposed Lots 1 thru 10 of Block 1, Lots 1 thru 14 of Block 2, Lots 1 thru 27 of Block 3, Lots 1 thru 19 of Block 4, Lots 1 thru 18 of Block 5, Lots 1 thru 2 of Block 6, and Lots 1 thru 3 of Block 7 of Hillsview Estates Subdivision (90 residential lots)
PARCEL ACREAGE: Approximately 41.16 acres
LOCATION: At the northern terminus of Haakon Street
EXISTING ZONING: Medium Density Residential District (Planned Development Designation) - Office Commercial District (Planned Development Designation) - Neighborhood Commercial District (Planned Development Designation)
FUTURE LAND USE DESIGNATION: Urban Neighborhood
SURROUNDING ZONING:
North: Limited Agricultural District (Pennington County)
South: Low Density Residential District
East: Suburban Residential District (Pennington County)
West: Public District
PUBLIC UTILITIES: Rapid Valley Sanitary District
DATE OF APPLICATION: July 26, 2019
REVIEWED BY: Vicki L. Fisher / Dan Kools

RECOMMENDATION:
Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:
1. Prior to submittal of a Development Engineering Plan application, street names shall be
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2. Prior to submittal of a Development Engineering Plan application for Phase 3 or 4, the applicant shall demonstrate that the 55 lots located north of the intersection of Haakon Street and Street C shall be provided with more than one point of access by either including the construction of E. Anamosa Street as it abuts the north lot line to Reservoir Road or extending one of the proposed cul-de-sac streets (Street A or B) to provide a connection to Reservoir Road or shall meet criteria for obtaining an Exception to allow 55 dwelling units with one point of access pursuant to Section 2.6 of the Infrastructure Design Criteria Manual. 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. Anamosa Street shall be submitted for review and approval showing the dedication of 50 feet of right-of-way, half of the 100 feet of right-of-way required for a principal arterial 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;

4. Upon submittal of a Development Engineering Plan application, construction plans for Ziebach Street, Haakon Street and Streets A, B, C and D, all local streets, shall be submitted for review and approval showing the streets located in a minimum 52-foot wide right-of-way with an additional 10 feet of right-of-way for Street C the first 200 feet as it extends from Reservoir Road and an additional 10 feet of right-of-way for Haakon Street the first 200 feet as it extends from E. Anamosa Street. In addition, the construction plans shall show the streets constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with the cul-de-sac bulb(s) for Streets A and B located in a minimum 118-foot diameter right-of-way and constructed with a minimum 96-foot diameter pavement 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;

5. Upon submittal of a Development Engineering Plan application, the plat document shall show the dedication of 50 feet of right-of-way, half of the 100 feet of right-of-way required for a principal arterial street, for Reservoir Road. In addition, a profile for any future construction of Reservoir Road shall be submitted to ensure that the subdivision grades match the future right-of-way elevations;

6. Upon submittal of a Development Engineering Plan application, the intersection of Haakon Street and Street D shall be analyzed and adjusted, if possible, to minimize the skewed alignment;

7. 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, easements shall be provided as needed;

8. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer in accordance with 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, easements shall be provided as needed;

9. 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. The drainage report shall address storm water quantity control to pre-developed, historic rates and provide storm water quality treatment. In addition, easements shall be dedicated as needed;

10. 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 if subdivision improvements are required

11. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;

12. 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. 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;

13. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;

14. Prior to submittal of a Final Plat application, the plat document shall show the proposed “10-foot wide right-of-way” located between Lots 2 and 3 of Block 5 as a “10-foot wide Pedestrian Access Easement”. In addition, an agreement shall be submitted for recording securing maintenance of the proposed easement. The sidewalk shall be constructed as a part of the subdivision improvements for this phase of the development;

15. Prior to submittal of a Final Plat application, that portion of the property zoned Office Commercial District and Neighborhood Commercial District shall be rezoned to Medium Density Residential District in compliance with the City’s Future Land Use Plan;

16. Prior to submittal of a Final Plat application for Phase Three or prior to submittal of a Rezoning application to change the zoning designation for this area from Office Commercial District to Medium Density Residential District, whichever occurs first, the existing mobile home shall be removed;

17. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of proposed Lot 6 of Block 5 and Lot 3 of Block 6, Major Drainage Easement(s). In addition, any proposed drainage elements shall be secured within a Major Drainage Easement and the agreement shall include these elements to secure ownership and maintenance;

18. 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,

19. 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 to create 93 residential lots, two drainage lots and a reservoir lot. The lots will range in size from 0.156 acres to 6.645 acres and are to be known as “Hillsview Estates Subdivision”. The proposed development will be platted in four phases as follows:

- Phase One – 25 residential lots and a reservoir
- Phase Two – 16 residential lots and a drainage lot
- Phase Three – 26 residential lots
- Phase Four – 26 residential lots and a drainage lot

The property is located at the northern terminus of Haakon Street, west of Reservoir Road. Currently, a mobile home is located within the eastern portion of the property in the area identified as Phase Three of the 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 portion of the property is zoned Medium Density Residential District. The balance of the property is zoned Office Commercial District and Neighborhood Commercial District. The entire parcel is located within a Planned Development Designation. The City’s Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood. Medium Density Residential District is identified as a primary zoning designation for Urban Neighborhood. As such, prior to submittal of a Final Plat application, that portion of the property zoned Office Commercial District and Neighborhood Commercial District must be rezoned to Medium Density Residential District in compliance with the City’s Future Land Use Plan. The applicant should be aware that a Final Planned Development must be submitted for review and approval prior to the issuance of a building permit. The applicant also has the option of seeking a revocation of the Planned Development Overlay if all land area regulations are being met.

As previously noted, a mobile home is currently located in the eastern portion of the property in the area identified as Phase Three of the development. A mobile home is not a permitted residential structure in the Medium Density Residential District. As such, prior to submittal of a Final Plat for Phase Three or prior to submittal of a Rezoning application to change the zoning designation for this area from Office Commercial District to Medium Density Residential District, whichever occurs first, the mobile home must be removed.

Phasing Plan: The applicant has submitted a Phasing Plan identifying that the property will be developed in four phases as outlined above. In particular, Phase Three and Four, located north of the intersection of Haakon Street and Street C, include 55 residential lots. Chapter 2.6 of the Infrastructure Design Criteria Manual states a second access shall be provided.
when more than forty dwelling units are accessed from a street. As such, prior to submittal of a Development Engineering Plan application for Phase 3 or 4, the applicant must demonstrate that the 55 lots located north of the intersection of Haakon Street and Street C will be provided with more than one point of access by either including the construction of E. Anamosa Street as it abuts the north lot line to Reservoir Road or extending one of the proposed cul-de-sac streets (Street A or B) to provide a connection to Reservoir Road or criteria for obtaining an Exception to allow 55 dwelling units with one point of access pursuant to Section 2.6 of the Infrastructure Design Criteria Manual must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

E. Anamosa Street: The City’s Major Street Plan identifies E. Anamosa Street, a principal arterial street, along the north lot line of the property requiring that the proposed 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, 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 dedication of 50 feet of right-of-way, half of the 100 feet of right-of-way required for a principal arterial street, 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.

Reservoir Road: Reservoir Road is located along the east lot line of the property and is identified 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, water and sewer. Currently, Reservoir Road is located within a 66-foot wide section line highway and constructed with an approximate 24-foot wide graveled surface. On September 3, 2019, the City Council approved an Exception (19EX119) to waive the requirement to provide public improvements in Reservoir Road. The Exception did not include waiving the requirement to dedicate the additional right-of-way required for a principal arterial street. As such, upon submittal of a Development Engineering Plan application, the plat document must show the dedication of 50 feet of right-of-way, half of the 100 feet of right-of-way required for a principal arterial street, for Reservoir Road. In addition, a profile for any future construction of Reservoir Road must be submitted to ensure that the subdivision grades match the future right-of-way elevations.

Local Streets: Ziebach Street, Haakon Street and Streets A, B, C and D are identified as local streets requiring that the streets 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. Streets A and B are also cul-de-sac streets requiring that the cul-de-sac bulb be located in a minimum 118-foot diameter right-of-way and constructed with a minimum 96-foot diameter paved surface. Haakon Street and Street C also intersect with principal arterial streets requiring that an additional 10 feet of right-of-way be dedicated the
first 200 feet as the street(s) extend from the principal arterial street.

Upon submittal of a Development Engineering Plan application, construction plans for Ziebach Street, Haakon Street and Streets A, B, C and D, all local streets, must be submitted for review and approval showing the streets located in a minimum 52-foot wide right-of-way with an additional 10 feet of right-of-way for Street C the first 200 feet as it extends from Reservoir Road and an additional 10 feet of right-of-way for Haakon Street the first 200 feet as it extends from E. Anamosa Street. In addition, the construction plans must show the streets constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with the cul-de-sac bulb(s) for Streets A and B located in a minimum 118-foot diameter right-of-way and constructed with a minimum 96-foot diameter pavement 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.

Pedestrian Access: Staff met with the applicant and a representative from the School District to discuss securing a pedestrian access from the proposed development to the school located directly west of the subject property. It was agreed upon that a sidewalk would be provided from Ziebach Street along the common lot line of Lots 2 and 3 of Block 5 to the school property. The applicant’s site layout shows the proposed dedication of a 10-foot wide right-of-way along the lot line. Prior to submittal of a Final Plat application, the plat document must show the proposed “10-foot wide right-of-way” as a “10-foot wide Pedestrian Access Easement”. In addition, an agreement must be submitted for recording securing maintenance of the proposed easement. The sidewalk will be constructed as a part of the subdivision improvements for this phase of the development.

Water: The property is located in the Rapid Valley Sanitary District. 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 Section 3.9, including Table 3-1 and 3-2. 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. Easements must also be provided as needed.

Sewer: The property is located in the Rapid Valley Sanitary District. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual Section 3.9, including Table 3-1 and 3-2. 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. Easements must be provided as needed.

Drainage: The property is located within the County Heights Drainage Basin. 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. The drainage report must address storm water quantity control to pre-developed, historic rates and provide storm water quality treatment. Easements must be dedicated as needed. In addition, upon submittal of a Final Plat application, an agreement must be submitted for recording securing
ownership and maintenance of proposed Lot 6 of Block 5 and Lot 3 of Block 6, Major Drainage Easement(s). In addition, any proposed drainage elements must be secured within a Major Drainage Easement and the agreement must include these elements to secure ownership and maintenance.

**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.