

STAFF REPORT
June 25, 2020

No. 20PL017 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT	Yasmeen Dream 111, LLC
AGENT	Dream Design International, Inc.
PROPERTY OWNER	Yasmeen Dream 111, LLC
REQUEST	No. 20PL017 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	A portion of the S1/2 of the NE1/4 less Menard Subdivision less North Valley Park Subdivision, a portion of the NW1/4 of the SE1/4 less Menard Subdivision, less Shepherd Hills Subdivision, and less right-of-way and a portion of the NE1/4 of the SE1/4 less Shepherd Hills Subdivision and less right-of-way, all located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 24 thru 62 of Block 2, Lots 3 thru 7 of Block 5 and Lot 1 of Block 6 of Shepherd Hills Subdivision
PARCEL ACREAGE	Approximately 11.17 acres
LOCATION	East of the current terminus of Philadelphia Street
EXISTING ZONING	General Agricultural District - Low Density Residential District II - Medium Density Residential District
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Agricultural District
East:	General Agricultural District
West:	Medium Density Residential District
PUBLIC UTILITIES	Low Density Residential II District/General Agriculture District
DATE OF APPLICATION	March 27, 2020
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

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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 Exception shall be obtained to allow 89 dwelling units with one point of access or the plat document shall be revised to provide a second street connection;
2. 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 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, construction plans for Solomon Court and Aaron Court, local streets, shall be submitted for review and approval showing the streets located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with the cul-de-sac bulb at the northern terminus of each street 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;
4. 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 a minimum 34-foot wide paved surface 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;
5. 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, prior to approval of a Development Engineering Plan application, the conversion of the existing low level 12-inch water main to the North Rapid Pressure Zone shall be completed. An Exception shall also be obtained to allow a dead-end water main or the plans shall be revised to provide looping of the North Rapid system in compliance with the Infrastructure Design Criteria Manual. Easements shall also be provided as needed;
6. 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, easements shall be provided as needed;
7. Upon submittal of a Development Engineering Plan application, a drainage plan and

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- 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 and conveyances shall be secured from this area to the proposed pond shown from Phase 1B or any other proposed off-site drainage system(s);
8. 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;
 9. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
 10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
 11. Prior to submittal of a Final Plat application, a Final Plat for the adjacent phase (Phase 1A) of the development shall be recorded securing access to the subject property or this portion of the E. Philadelphia Street right-of-way shall be included in the Final Plat application for the subject property;
Prior to submittal of a Final Plat application, Rezone 20RZ023 to change the zoning designation on a portion of the property from General Agriculture District to Low Density Residential District II shall be approved by City Council;
 12. 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;
 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.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to create 45 residential lots, leaving an unplatted balance. The lots range in size from 0.16 acres to 0.31 acres and are to be known as Phase 2A and 2B of Shepherd Hills Subdivision.

The applicant has also submitted a Rezoning request (File #20RZ023) to change the zoning designation on a portion of the property from General Agriculture District to Low Density Residential District II. The balance of the property is currently zoned Low Density Residential District II.

The property is located east of the current terminus of E. Philadelphia 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

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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: As previously noted, the applicant has submitted a Rezoning request to change the zoning designation on a portion of the property from General Agriculture District to Low Density Residential District II. The balance of the property is currently zoned Low Density Residential District II. The General Agriculture District requires a minimum lot size of 20 acres for a residential use. As such, the portion of the property currently zoned General Agriculture District must be rezoned to Low Density Residential District II as proposed prior to submittal of a Final Plat application.

The City's Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood which supports single-family residential development. As such, the proposed plat is in compliance with the City's Comprehensive Plan.

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 and constructed with a 34-foot wide paved surface to allow on-street visitor parking. 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 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". Currently, 45 lots have exclusive access from this section of E. Philadelphia Street. With the approval of this plat, that number rises to 89 lots. As such, prior to submittal of a Development Engineering Plan application, an Exception must be obtained to allow 89 dwelling units with one point of access or the plat document must be revised to provide a second street connection.

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. The developer has entered into an agreement with the City to convert the existing low level 12-inch water main to the North Rapid Pressure Zone. The agreement identifies that the conversion will be complete mid-2020. To date, the conversion has not been completed. In order to ensure that water pressure will be available for this phase of the development, the conversion must be complete prior to Development Engineering Plan approval for this phase of Shepherd Hills Subdivision.

The applicant has submitted a Master Utility Plan that shows the low level water main connecting to the North Rapid Pressure Zone. This is not an approved form of looping and will require an Exception be approved for a dead-end main or plans showing looping of the

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North Rapid system in compliance with the Infrastructure Design Criteria Manual must be submitted as a part of the Development Engineering Plan application.

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 conversion must be complete as noted above. An Exception must also be obtained to allow a dead-end main or the plans must be revised to provide looping of the North Rapid system in compliance with the Infrastructure Design Criteria Manual. Easements must also be provided as needed.

The Fire Department has noted that if fire flow requirements cannot be met, all structures within the subdivision must be provided with approved fire sprinkler protection. System design and installation must meet the system requirements of NFPA 13, 13R and 13D, as applicable.

Sewer: A sewer main has been constructed west of the development but has not yet been accepted. A sewer main has also been constructed off-site to provide capacity from E. Philadelphia Street to S.D. Highway 44 but has not yet been accepted.

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, easements must be provided as needed.

Drainage: The property is primarily located in the Perrine Drainage Basin with a small portion located in the Box Elder Drainage Basin and Unnamed Tributary Drainage Basin. Easements and conveyances must be secured from this area to the proposed pond proposed as a part of Phase 1B or any other proposed off-site drainage systems.

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. Easements and conveyances must be secured from this area to the proposed pond proposed as a part of Phase 1B or any other proposed off-site drainage systems. 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

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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.