

STAFF REPORT
September 10, 2020

No. 20PL064 - Preliminary Subdivision

ITEM 2

GENERAL INFORMATION:

APPLICANT	Yasmeen Dream 111, LLC
AGENT	Mike Stetson - KTM Design Solutions, Inc.
PROPERTY OWNER	BH Capital 6, LLC
REQUEST	No. 20PL064 - Preliminary Subdivision
EXISTING LEGAL DESCRIPTION	A portion of the NW1/4SE1/4 Less Menard Subdivision, Less Shepherd Hills Subdivision, Less right-of-way; portion of W400 ft of NE1/4SE1/4 Less Shepherd Hills Subdivision and Less right-of-way; portion of NE1/4SE1/4 Less W400 ft; portion of SW1/4SE1/4 and the SE1/4SE1/4, all in Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 1 thru 17 of Block 1, Lots 1 thru 12 of Block 2, Lots 1 thru 11 of Block 3, Lots 1 thru 12 of Block 4, Lots 1 thru 17 of Block 5, Lot 1 thru 2 of Block 6 of Shepherd Hills South Subdivision
PARCEL ACREAGE	Approximately 5.7 acres
LOCATION	East of E. Anamosa Street between E. Philadelphia and Mickelson Drive
EXISTING ZONING	Medium Density Residential District, General Agriculture District, Low Density Residential District II
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Low Density Residential District II - General Agricultural District
West:	Mobile Home Residential District (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	August 12, 2020
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

STAFF REPORT
September 10, 2020

No. 20PL064 - Preliminary Subdivision

ITEM 2

RECOMMENDATION:

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

1. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to include the unplatted lot in the southeast corner of E. Anamosa Street and E. Philadelphia Street and the proposed green space between E. Philadelphia Street and proposed Street A;
2. Prior to submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval or an Exception shall be obtained waiving the requirement. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
3. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow 160 dwelling units with one point of access or the plat document shall be revised to provide a second street connection. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
4. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) 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;
5. Upon submittal of a Development Engineering Plan application, construction plans for Street A shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet extending east from the intersections of E. Anamosa Street 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 104-foot diameter right-of-way and constructed with a minimum 84-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. The plans shall also confirm that Street A connects with E. Anamosa Street at an angle between 75 to 90 degrees;
6. Upon submittal of a Development Engineering Plan application, construction plans for Street B and Isaac Street 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 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;
7. 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 with a minimum 36-foot wide paved surface and constructed pursuant to Figure 2-1 of the

STAFF REPORT
September 10, 2020

No. 20PL064 - Preliminary Subdivision

ITEM 2

- 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;
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. Prior to approval of the Development Engineering Plan application, an Oversize Agreement shall be acted upon by City Council for any requested oversize costs;
 11. Prior to submittal of a Final Plat application, proposed street names for Street A and Street B shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names;
 12. Prior to submittal of a Final Plat application, that portion of proposed Lots 16 and 17 of Block B currently zoned General Agriculture District shall be rezoned to Low Density Residential District II;
 13. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements and green spaces. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements;
 14. 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,
 15. 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 71 residential lots. The lots range in size from 0.15 acres to 2.21 acres and are to be known as Shepherd Hills South Subdivision. The applicant has submitted a Phasing Plan showing that the lots will be developed in three phases.

The property is located east of E. Anamosa Street between E. Philadelphia and Mickelson Drive. 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 property is primarily zoned Low Density Residential District II and Medium Density Residential District. In addition, a portion of proposed Lots 16 and 17 of Block 5 are zoned General Agriculture District. The General Agriculture District requires a minimum 20-acre lot

STAFF REPORT
September 10, 2020

No. 20PL064 - Preliminary Subdivision

ITEM 2

size for residential use. As such, prior to submittal of a Final Plat, this portion of the two lots must be rezoned from General Agriculture District to Low Density Residential District II.

Proposed Lot 17 of Block 1 and Lot 16 of Block 5 are zoned both Low Density Residential District II and Medium Density Residential District. (Please note that Lot 16 of Block 5 also has a small area zoned General Agriculture District as noted above.) Even though not required, it is recommended that the applicant submit rezoning requests to ensure that the lots are either entirely zoned Low Density Residential District II or Medium Density Residential District.

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.

Plat Boundary: Staff has noted that a proposed lot located in the southeast corner of E. Philadelphia Street and E. Anamosa Street, to date, has not been platted. In addition, the proposed green space located between E. Philadelphia Street and proposed Street A was not included in the adjacent plat or this plat. As such, prior to submittal of a Development Engineering Plan application, the plat document must be revised to include the unplatted lot and the green space.

Single Access: 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". An Exception was previously granted to allow 89 lots with one point of access. Staff supported the Exception since the area of the plat was moving towards making a second street connection to the east. However, that is not the case with this phase of the development. With the approval of this plat, that number rises to 160 lots. As such, prior to submittal of a Development Engineering Plan application, an Exception must be obtained to allow 160 dwelling units with one point of access or the plat document must be revised to provide a second street connection.

Traffic Impact Study: A Traffic Study was waived by the City Traffic Engineer for previous phases of the development with the justification that it would be submitted with future phases of development along E. Anamosa Street. A Traffic Study is now needed due to the continued extension of E. Anamosa Street with only one point of access.

Prior to submittal of a Development Engineering Plan application, the Traffic Impact Study must be submitted for review and approval or an Exception must be obtained waiving the requirement. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

E. Anamosa Street: East 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 36-foot wide paved surface. 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

STAFF REPORT
September 10, 2020

No. 20PL064 - Preliminary Subdivision

ITEM 2

(sidewalk) must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Local Streets: Street A, Street B and Isaac Street are classified 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. Street A is also a cul-de-sac street requiring that the bulb be located in a minimum 104-foot diameter right-of-way and a minimum 84-foot diameter paved surface. Upon submittal of a Development Engineering Plan application, construction plans for the streets must be submitted for review and approval as identified or must meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Water: The property is primarily 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 issuance of a building permit.

A 16-inch high level water main and a 20-inch low level water main will be required in E. Anamosa Street. The developer may request oversize costs for these mains.

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 all platted development in the area. In addition, a 16-inch high level water main and a 20-inch low level water main must be installed in E. Anamosa Street. Easements must also be provided as needed

The Fire Department has noted that if fire flow requirements cannot be met or if more than 40 dwelling units are accessed via one street, 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: Sewer plans have recently been approved and is currently being constructed across the Western Dakota Tech property to serve this area. 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 located in the Perrine Drainage Basin. The development must be designed to convey developed flow from the north through the project to a detention pond.

STAFF REPORT
September 10, 2020

No. 20PL064 - Preliminary Subdivision

ITEM 2

FMG Engineering is working on a revision to the basin plan for this area. The developer must coordinate with FMG, Engineering regarding the potential use of the regional ponds.

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 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.