No. 20PL085 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT: Tony Marshall
AGENT: Sperlich Consulting, Inc.
PROPERTY OWNER: Grand Skyline, LLC
REQUEST: No. 20PL085 - Preliminary Subdivision Plan

EXISTING LEGAL DESCRIPTION: Lot 1 and Lot 2 of Skyline Pines East Subdivision, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

PROPOSED LEGAL DESCRIPTION: Proposed Lots A thru Q of Brielle Subdivision No.2

PARCEL ACREAGE: Approximately 3.4 acres

LOCATION: Southwest of the intersection of Tower Road and Tower Court

EXISTING ZONING: Office Commercial (Planned Development Designation)

FUTURE LAND USE DESIGNATION: Urban Neighborhood

SURROUNDING ZONING
North: Office Commercial (Planned Development Designation)
South: LDR-II (Planned Development Designation)
East: Office Commercial (Planned Development Designation)
West: General Agricultural

PUBLIC UTILITIES: City sewer and water

DATE OF APPLICATION: October 30, 2020

REVIEWED BY: Fletcher Lacock / Todd Peckosh

RECOMMENDATION:
Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:
1. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
2. Upon submittal of a Development Engineering Plan application, an additional four feet of right-of-way shall be dedicated for Tower Road or shall meet criteria for obtaining an Exception. 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 Tower Place, a local street, shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the IDCM. In addition, the cul-de-sac bulb shall be located in a minimum 96 diameter right-of-way with a minimum 84-foot diameter paved surface or shall meet the criteria for obtaining an Exception. 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. 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 addition, easements shall be provided as needed. In addition, the sewer main shall be located in public right-of-way or shall meet the criteria for obtaining an Exception. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;

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. In addition, easements shall be provided as needed;

7. Prior to submittal of a Final Plat application; the properties shall be Rezoned from Office Commercial District to Medium Density Residential District. And a Final Planned Development Overlay shall be submitted for review and approval;

8. Prior to submittal of a Final Plat application, the plat document shall be revised to show the vacation of the non-access easement in the location of Tower Place;

9. 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;

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, the plat document shall be revised eliminating the Lot I designation. Instead the lots shall be labeled A through H and J through R or shall be labeled Lots 1 through 17;

12. Prior to submittal of a Final Plat application, a note shall be added to the plat document
securing a 6 foot wide maintenance easement along the common lot line for the proposed townhome lots;

13. Prior to submittal of a Final Plat application, a different street name for Tower Place 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 name;

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. 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 to create 17 residential lots. The applicant has indicated that the development will include five two-unit townhomes, a six-unit townhome, and one multi-family lot. The proposed lots range in size from 0.08 acres to 0.82 acres and are to be known as Lots A through Q of Brielle Subdivision No. 2.

The property is located southwest of the intersection of Tower Road and Tower Court. 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 currently zoned Office Commercial District with a Planned Development Designation. The Office Commercial District does not allow townhome or single-family residential development. As such, prior to submittal of a Final Plat application, the property must be Rezoned from Office Commercial District to Medium Density Residential District and a Final Planned Development Overlay must be approved by the Planning Commission.

Tower Place: Upon Rezoning the property to Medium Density Residential District, Tower Place, a cul-de-sac street, will be classified as a local street requiring that it be located in a minimum 52-foot wide right-of-way and constructed with a minimum 20-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the cul-de-sac bulb must be located in a minimum 96-foot diameter right-of-way and constructed with a minimum 84-foot diameter paved surface. Upon submittal of a Development Engineering Plan application, construction plans for Tower Place must be submitted for review and approval as identified or must meet the criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.
The Emergency Services Communication Center has indicated that the street name, Tower Court, is already in use. As such, prior to submittal of a Final Plat application, a different street name must be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document must be revised to show the approved street name.

Public Works staff has also indicated that at the proposed intersection of Tower Place and Tower Road, a non-access easement exists. As such, upon submittal of a Final Plat application, the plat document must show the vacation of this portion of the non-access easement.

The Register of Deeds has indicated that the subdivision name, Brielle Subdivision No.2, is in compliance; however, the lettering of lots from A through Q may create confusion. As such, prior to submittal of a Final Plat application, the plat document must be revised eliminating the Lot I designation. Instead the lots must be labeled A through H and J through R or must be labeled Lots 1 through 17.

**Tower Road:** Tower Road is classified as a Collector Street requiring that it be located in a minimum 68-foot wide right-of-way and constructed with a minimum 24-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Tower Road is currently constructed as a Collector Street; however, it appears that the street is located in a 60-foot right-of-way. As such, upon submittal of a Development Engineering Plan application, the plat document must show an additional four feet of right-of-way being dedicated for Tower Road or must meet the criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

**Water:** Water mains currently exist in the Tower Road right-of-way. 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 provided as needed.

**Sewer:** Sewer mains currently exist in the Tower Road right-of-way. 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.

Public Works staff has indicated that the proposed sewer main does not comply with the requirements of the Infrastructure Design Criteria Manual as it is not located in public right-of-way. As such, prior to submittal of a Development Engineering Plan application, the sewer main must be redesigned to comply with the IDCM or must meet the criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.
Drainage: The property is located in both the Meade Hawthorne 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 for the proposed subdivision improvements. The drainage report must address storm water quantity control and storm water quality treatment. In addition, easements must be provided as needed.

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 be entered into with the City for additional stormwater control improvements if needed.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. Prior to the City’s acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

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