No. 22PL014 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT: Bill Freytag
AGENT: Renner Associates, LLC
PROPERTY OWNER: Eastern Slope Land Corp
REQUEST: No. 22PL014 - Preliminary Subdivision Plan

EXISTING LEGAL DESCRIPTION: A portion of the S1/2 of the SW1/4 of the SW1/4 of Section 13, less Kateland Subdivision, less right-of-way, located in Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota

PROPOSED LEGAL DESCRIPTION: Proposed Lots 6 thru 21 of Block 5, Lots 4 thru 23 of Block 7, Lots 1 thru 12 of Block 8 of Kateland Subdivision

PARCEL ACREAGE: Approximately 15.16 acres
LOCATION: North of the current terminus of Country Road West
EXISTING ZONING: Medium Density Residential District
FUTURE LAND USE DESIGNATION: Urban Neighborhood

SURROUNDING ZONING:
North: Medium Density Residential District
South: Medium Density Residential District - Low Density Residential District - General Agricultural District - Planned Unit Development
East: Medium Density Residential District
West: General Agricultural District

PUBLIC UTILITIES: City sewer and water
DATE OF APPLICATION: February 25, 2022
REVIEWED BY: Vicki L. Fisher / Emily Fisher

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 for proposed Street A and Street B shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document and
construction plans shall show the approved street names;

2. Prior to submittal of a Development Engineering Plan application, the applicant shall secure written approval from the adjacent property owner concurring with the realignment of the collector street (Country Road West) as it abuts the property to the west of the subject property or the plat document shall be revised to show the street in alignment with the Major Street Plan or a Comprehensive Plan Amendment to the Major Street plan shall be submitted for review and approval relocating the collector street as shown;

3. Prior to submittal of a Development Engineering Plan application, the horizontal alignment for Streets A and B shall be revised to meet City criteria or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

4. Upon submittal of a Development Engineering Plan application, redline comments from the Preliminary Subdivision Plan review shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application;

5. Upon submittal of a Development Engineering Plan application, construction plans for Street A and Street B shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street and the permanent and temporary cul-de-sac(s) shall meet the design standards set forth in Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

6. Upon submittal of a Development Engineering Plan application, construction plans for Country Road West shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a collector street or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

7. Upon submittal of a Development Engineering Plan application, construction plans for the sewer main along Country Road West shall be submitted for review and approval showing sewer extended to the west lot line of the subject property 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.

8. Upon submittal of a Development Engineering Plan application, construction plans for the water main in Country Road West shall be submitted for review and approval showing the extension of a 12-inch water main which currently exists along Country Road east of the subject property. In addition, if it is determined that the development requires a main less than 12-inches, the additional size is eligible for oversize reimbursement;

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 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;
12. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
13. Prior to approval of the Development Engineering Plan application, a 404 Permit shall be obtained from the Corp of Engineers if it is determined one is needed;
14. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded. In addition, a copy of the recorded easements shall be submitted with the Development Engineering Plan application;
15. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements created with the proposed development. In addition, Major Drainage Easements shall be dedicated for all drainage improvements;
16. 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,
17. 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 38 residential lots, 10 of which will be later subdivided to create townhome lots. The Phasing Plan identifies that the development will be platted in four phases. The lots range in size from 6,505 square feet to 59,270 square feet and are to be known as Phase 2 of Kateland Subdivision.

The property is located north of the current terminus of Country Road West. 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 Medium Density Residential District which allows single family development and townhome development as proposed. In addition, each of the single family residential lots have a minimum lot size of 6,500 feet as required and each proposed townhome lot has a minimum lot size of 4,000 square feet as required.

The City’s Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood which supports the proposed residential development. As such, the proposed plat is in compliance with the City’s Comprehensive Plan.
Country Road West: Country Road West is identified as a collector street on the City’s Major Street Plan. The location of the street as it abuts the property to the west is not in alignment with the location as shown on the adopted Major Street Plan. As such, prior to submittal of a Development Engineering Plan application, the applicant must secure written approval from the adjacent property owner concurring with the realignment of Country Road West as it abuts the property to the west of the subject property or the plat document must be revised to show the street in alignment with the Major Street Plan or a Comprehensive Plan Amendment to the Major Street plan must be submitted for review and approval relocating the collector street as shown. In addition, upon submittal of a Development Engineering Plan application, construction plans for Country Road West must be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a collector street or must meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) must be submitted with the Development Engineering Plan application.

Street A and Street B: Street A and Street B are classified as local streets requiring that they be located in a minimum 52-foot wide right-of-way and constructed with a minimum 27-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The proposed layout for the streets show that the horizontal curves for both streets do not meet City criteria. As such, prior to submittal of a Development Engineering Plan application, the horizontal alignment must be revised to meet City criteria or must meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) must be submitted with the Development Engineering Plan application. In addition, upon submittal of a Development Engineering Plan application, construction plans for Street A and Street B must be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street and the permanent and temporary cul-de-sac(s) must meet the design standards set forth in Table 2-4 of the Infrastructure Design Criteria Manual or must meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) must be submitted with the Development Engineering Plan application.

Water: A 12-inch water main has been installed in Country Road located east of the subject property. It is anticipated that this 12-inch water main will be extended through this development. If it is determined that the development requires a smaller main, the additional size of the water main is eligible for oversize reimbursement.

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. Easements must also be provided as needed.

Sewer: There is an existing 8-inch sewer main located east of the development in Country Road. The proposed lot layout identifies extending the main through the development within the proposed right(s)-of-way with the exception of the western 40 feet of Country Road West. Upon submittal of a Development Engineering Plan application, construction plans for the sewer main along Country Road West must be submitted for review and approval showing sewer extended to the west lot line of the subject property or must meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document must be
submitted with the Development Engineering Plan application. In addition, 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 Box Elder 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, 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.

**404 Permit:** The National Wetlands Inventory indicates habitats may be present on the subject property. As such, prior to approval of the Development Engineering Plan application, a 404 Permit must be obtained from the Corp of Engineers if it is determined one is 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 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.