No. 22PL067 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT: Brent Hill
AGENT: Ian - Renner Associates, LLC
PROPERTY OWNER: Brent Hill
REQUEST: No. 22PL067 - Preliminary Subdivision Plan

EXISTING
LEGAL DESCRIPTION: The E1/2 of the NE1/4 of Section 13, located in T2N, R7E, BHM, Pennington County, South Dakota

PROPOSED
LEGAL DESCRIPTION: Proposed Lots 1 thru 10 of Block 1, Lots 1 thru 6 and Drainage Lot 1 of Block 2, Lots 1 and 2 of Block 3, Lots 1 and 2 of Block 4 and Lot 1 and Drainage Lot 1 of Block 5 of Maclovia Hills Subdivision

PARCEL ACREAGE: Approximately 8.66 acres
LOCATION: North of the current terminus of Tueplo Drive
EXISTING ZONING: Agricultural District (Pennington County)
FUTURE LAND USE DESIGNATION: Rural Residential

SURROUNDING ZONING:
North: Agricultural District (Pennington County)
South: Low Density Residential District I
East: Agricultural District (Pennington County)
West: Agricultural District (Pennington County)

PUBLIC UTILITIES: City sewer and water (Phase I)
DATE OF APPLICATION: June 10, 2022
REVIEWED BY: Marlo Kapsa / Emily Fisher

RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, all information required as per Chapter 16.12.040 of the Rapid City Municipal Code shall be submitted, as applicable;
2. 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 Registered 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 a revised Master Plan must be submitted showing a minimum lot size of 3 acres for Phases 5-7 or demonstrate that these lots will be served by City sewer and water. In addition, the utility lines must be located within the right-of-way;

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

5. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to include a minimum 68-foot right-of-way along Tupelo Drive and construction plans for Tupelo Drive shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a collector street or criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the document shall be submitted with the Development Engineering Plan application;

6. Upon submittal of a Development Engineering Plan application, construction plans for Streets A, B, and C 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;

7. Prior to submittal of a Development Engineering Plan application, street names for Streets A, B, and C shall be submitted to the Emergency Services Communication Center for review and approval. Upon submittal of the Development Engineering Plan application, the plat document shall include the approved street names;

8. Upon submittal of a Development Engineering Plan Application, construction plans for the section line highway shall be submitted for review and approval designed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the document shall be submitted upon submittal of a Development Engineering Plan application. Alternatively, the section line highway shall be vacated as part of this plat and the plat document shall be revised to reflect the vacation of section line highway upon submittal of a Development Engineering Plan application;


10. 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 confirm that storm water quality treatment for the proposed development was previously accounted for in drainage improvements. If not, the developer shall provide storm water quality treatment pursuant to Chapter 8.48 of the Rapid City Municipal Code. Additionally, the report shall address all discharge points for post versus pre runoff volumes and address the increase
STAFF REPORT
August 4, 2022

No. 22PL067 - Preliminary Subdivision Plan

in density since it is higher than what was assumed in the City’s Drainage Basin Design Plans;

11. 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 report shall verify whether a second water main will be required for looping and if a 16-inch water main is required through the project area;

12. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall incorporate the sewer basin and address future needs including an analysis of the higher density proposed with this plat;

13. Prior to submittal of a Development Engineering Plan application for Phase Two, a second point of access shall be constructed or the construction plans for Phase Two shall include a second point of access to ensure that no more than 40 lots take access with one point of access;

14. Prior to approval of the Development Engineering Plan application, Council shall approve an oversize agreement for any proposed oversize costs;

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

16. Prior to submittal of a Final Plat application, the 8.66 acre portion of the subject property shall be rezoned to Low-Density Residential I District;

17. Prior to submittal of a Final Plat application, the 8.66 acre portion of the subject property shall be annexed and rezoned to Low-Density Residential I District;

18. Upon submittal of a Final Plat application, the plat document shall be revised to show all necessary easements;

19. Upon submittal of a Final Plat application any necessary covenant agreements shall be provided including a maintenance and ownership agreement for all proposed drainage elements and a Major Drainage Easement shall be dedicated for all drainage improvements;

20. 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,

21. 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 subdivide an 8.66 acre portion of an 80 acre parcel into 21 lots ranging in size from 0.21 acres to 0.38 acres to be known as Phase 1A of Maclovia Hills Subdivision. This Preliminary Subdivision Plan is Phase 1A of a larger Master Plan for Maclovia Hills Subdivision to be developed in 7 phases with a total of 346 lots.

The property is located north of the intersection of Tupelo Drive and Melano Street north of the current terminus of Tupelo 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:

Annexation/Zoning:
The 8.66 acre portion of property to be platted is currently located outside the City limits and is zoned Agriculture (Pennington County). Pursuant to Chapter 16.04.090 of the Rapid City Municipal Code, this area to be platted must be annexed into the City limits of Rapid City prior to submittal of a Final Plat application.

Upon annexation, the property will be zoned No-Use District. The City’s Future Land Use Plan identifies the appropriate use of the property as Rural Residential which supports large-lot single-family residences ranging in size from 3-5 acres. The proposed lot sizes in Phase 1A are smaller than the 3-5 acre range, however, since the lots will be served by City sewer and water and there is adjacent property to the south zoned Low-Density Residential I District, staff recommends that the property be rezoned to Low Density Residential I District. As such, prior to submittal of a Final Plat application, the 8.66 acre portion of the subject property must be rezoned to Low-Density Residential I District to support the proposed development. The City’s Future Land Use Plan supports flexibility in the land use designation, especially when municipal water and sewer services are available. Based on this analogy, proposed plat is in compliance with the City’s Comprehensive Plan.

Master Plan:
The applicant has submitted a Master Plan showing a total of 7 phases of development with 346 proposed lots. Proposed lots in Phase 1A range from 0.21 to 0.38 acres in size. The Future Land Use Plan identifies the appropriate future use of this 80 acre area as Rural Residential which supports a minimum lots size of 3-5 acres. This designation is due to the lack of municipal services to the area. However, the applicant has demonstrated that City Sewer and water will be provided to Phase 1A through Phase 4 of the development. The balance of the project, Phases 5-7 appear to require on-site wastewater systems. As such, this area must provide a minimum 3-acre lot size in compliance with the City’s Future Land Use Plan. Upon submittal of a Development Engineering Plan a revised Master Plan must be submitted showing a minimum lot size of 3 acres for Phases 5-7 or demonstrate that these lots will be served by City sewer and water. In addition, the utility lines must be located within the right-of-way. It is important to note that approval of this Preliminary Subdivision Plan for Phase 1A of Maclovia Hills Subdivision does not indicate approval of the proposed Master Plan.

Tupelo Drive:
Tupelo Drive provides access to the subject property along the southern property boundary and is classified as a Local Street per the Infrastructure Design Criteria Manual requiring that it be located within a minimum 52-foot wide right-of-way and constructed with a minimum 26-
No. 22PL067 - Preliminary Subdivision Plan

ITEM #3

foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, where Tupelo Drive meets the southern property boundary, it is constructed to Collector Street standards requiring that the street be located in a minimum 68-foot wide right-of-way and constructed with a minimum 32-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. To maintain design consistency, the proposed portion of Tupelo Drive that extends northward through Phase 1A must be constructed to collector street standards. Upon submittal of a Development Engineering Plan application, the plat document must be revised to include a minimum 68-foot right-of-way along Tupelo Drive and construction plans for Tupelo Drive must be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a collector street or criteria for obtaining an Exception must be met. If an Exception is obtained, a copy of the document must be submitted with the Development Engineering Plan application. Construction costs for Tupelo Drive beyond the cost of a local street are eligible for oversize reimbursement. An oversize request can be submitted to the City Council for consideration. If pursued, prior to approval of the Development Engineering Plan application, an Oversize Agreement must be acted upon by City Council for any requested oversize costs.

Local Streets:
The proposed plat identifies a new local street running west to east through the property and two new local streets, running north to south between properties 25 and 9 and 35 and 17. These will be known as Streets A, B, and C, respectively. Each local street must be located within a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street. Currently, Streets A, B, and C are being shown within a 52-foot wide right-of-way on the plat document. A temporary cul-de-sac at the eastern end of Street A, northern ends of Streets B, and C, and permanent cul-de-sac at the western end of Street A must be constructed pursuant to Section 2.13 of the Infrastructure Design Criteria Manual. The temporary cul-de-sacs must be located outside of the platted area. Upon submittal of a Development Engineering Plan application, construction plans for Streets A, B, and C 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. In addition, prior to submittal of a Development Engineering Plan application, street names for Streets A, B, and C must be submitted to the Emergency Services Communication Center for review and approval. Upon submittal of the Development Engineering Plan application, the plat document must include the approved street names.

Section Line Highway:
An unimproved portion of section line highway extends north to south along the eastern boundary of Phase 1A. The section line highway is classified as a local street requiring that it be located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway must be submitted for review and approval designed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or criteria for obtaining an Exception must be met. If an Exception is obtained, a copy of the document must be submitted upon submittal of a
Development Engineering Plan application. Alternatively, the section line highway must be vacated as part of this plat and the plat document must be revised to reflect the vacation of section line highway upon submittal of a Development Engineering Plan application;

**Second Point of 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 40 dwelling units. Based on the Master Plan, it appears the 40 unit limit will be surpassed in Phase Two of the development requiring that a second access shall be provided at that time. The Master Plan identifies a road to be paved extending east from Phase 1B to West Nike Road which will serve as a secondary access. As such, prior to submittal of a Development Engineering Plan application for Phase Two, construction plans for a second point of access must be submitted for review and approval to ensure that no more than 40 lots will be served by only one point of access.

**Traffic System Evaluation:**
Section 2.17 of the Infrastructure Design Criteria Manual states that a Traffic Impact Study is required for any residential development with 150 or more dwelling units. A Traffic Impact Study was submitted as part of this Preliminary Subdivision Plan application. The applicant should be aware that all elements noted within the Traffic Impact Study must be incorporated into the design of each phase of development.

**Drainage:**
The property is located within the Box Elder Drainage Basin, therefore, all proposed drainage improvements must be designed in accordance with the City’s Box Elder Drainage design plan. 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 confirm that storm water quality treatment for the proposed development was previously accounted for in drainage improvements. If not, the developer must provide storm water quality treatment pursuant to Chapter 8.48 of the Rapid City Municipal Code. Additionally, the report must also address all discharge points for post versus pre runoff volumes. The proposed density of the development is higher than what was assumed in the City’s Drainage Basin Design Plans, therefore, this increased density must be addressed within the design report.

**Water:**
The proposed lots are located within the North Rapid Water Zone which serves elevations of approximately 3,450 feet. The elevation of the proposed development is approximately 3,270 feet. Water service is provided to the property via an existing 16 inch water main located in Tupelo Drive right-of-way. Prior to approval of the Master Plan, water mains for the entire development must be identified. Future City plans include a reservoir near the northwest corner of the property. A 16-inch water main may be necessary through the project area. Construction costs for the water main beyond the cost of the required size are eligible for oversize reimbursement. An oversize request can be submitted to the City Council for consideration. If pursued, prior to approval of the Development Engineering Plan application, an Oversize Agreement must be acted upon by City Council for any requested oversize costs. A second water main may be required for looping, the master plan and design report must address these issues. 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.

Sewer:
Sewer service is provided to the property via an 8-inch sewer main located in Tupelo Drive right-of-way. There are areas of the property which may or may not be able to be served a gravity sewer. The Master Plan must be revised to clearly identify how all proposed lots in the development will be served by sewer. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval as identified. The design report must incorporate the sewer basin and address future needs. The existing wastewater master plan document assumes a lower density that what is being proposed within this development. The design report must also address this increased density as well as any other sanitary sewer concerns.

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.

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 for Phase 1A of Maclovia Hills Subdivision generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations. Approval of the Preliminary Subdivision Plan for Phase 1A does not indicate approval of the Master Plan.