No. 22PL078 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT: BH Capital, LLC
AGENT: Renee Catron - KTM Design Solutions, Inc.
PROPERTY OWNER: BH Capital, LLC
REQUEST: No. 22PL085 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION: Formerly a portion of the SW1/4; Less the Easterly 1447.50 ft of The Southerly 1036.63 ft for the N1/2 SW1/4 and the Easterly 1447.50 of the Northerly 511.37 ft of the S1/2 SW1/4 of Section 33 all located in T2N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION: Proposed Lots 1 thru 27 of Block 1, Lots 1 thru 37 of Block 2, Lots 1 thru 7 of Block 3, Lots 1 thru 38 of Block 4, Lots 1 thru 20 of Block 5, Lots 1 thru 3 of Block 6, Lots 1 thru 11 of Block 7 of Shepherd Hills East Subdivision
PARCEL ACREAGE: Approximately 108.56 acres
LOCATION: North of E. Anamosa Street, east of E. Philadelphia Street
EXISTING ZONING: Medium Density Residential District - Low Density Residential District II - General Agricultural District - General Commercial District
FUTURE LAND USE DESIGNATION: Urban Neighborhood
SURROUNDING ZONING:
North: General Agricultural District - Low Density Residential District II - Medium Density Residential District
South: Medium Density Residential District - General Agricultural District
East: General Agricultural District
West: General Agricultural District - Low Density Residential District II - Medium Density Residential District – General Commercial District
PUBLIC UTILITIES: City sewer and water
DATE OF APPLICATION: July 8, 2022
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 Preliminary Subdivision Plan shall be revised to show the proposed open space and multi-use trail as shown on the Master Plan or the Master Plan shall be revised removing these features;
2. Prior to submittal of a Development Engineering Plan application, the Phasing Plan shall be revised to show a second point of access included as part of Phase 2 of the development or an Exception shall be obtained from City Council. 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, 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;
4. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive 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 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, construction plans for Diamond Ridge Boulevard shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual criteria for a local street 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;
6. Upon submittal of a Development Engineering Plan application, construction plans for Rebecca Street and 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 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, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
9. 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;
10. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
11. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded;
12. Upon submittal of a Development Engineering Plan application, Major Drainage Easements shall be included on the plat document between Diamond Ridge Boulevard and Street B, between Street B and N. Valley Drive, and to convey drainage from Lot 27, Block 1 to N. Valley Drive. In addition, Major Drainage Easements shall be dedicated for all other drainage improvements as needed;

13. Prior to submittal of a Final Plat application, the portion of the property zoned General Agricultural District shall be rezoned to Medium Density Residential District;

14. 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;

15. 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,

16. 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 to create 145 residential lots and a drainage lot leaving an uplatted balance. The lots will range in size from 0.14 acres to 15.47 acres and are a part of the Shepherd Hills East Subdivision.

The property is located north of E. Anamosa Street and east 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 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 Low Density Residential II District, Medium Density Residential District with a Planned Development Designation, General Agricultural District, and General Commercial District with a Planned Development Designation. The applicant has submitted two Rezone applications to change the zoning designation of approximately 51 acres of the subject from General Agricultural District to Medium Density Residential District. The applicant should be aware that prior to issuance of a building permit for the proposed lots located within the Planned Development Designation areas, a Final Planned Development must be submitted for review and approval.

The City’s Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood. The proposed residential development is in compliance with the Future Land Use Plan and, subsequently, the City’s Comprehensive Plan.

Master/Phasing Plan: The applicant has submitted a Phasing Plan showing 145 residential lots
being developed in four phases. As presented, N. Valley Drive will serve as the primary access to the proposed development for Phases 1-3. 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 be provided at that time or an Exception must be obtained from City Council prior to submittal of a Development Engineering Plan. A copy of the approved Exception must be submitted with the Development Engineering Plan application. Additionally, the Master Plan identifies open space with a multi-use trail along the northern and western boundary of the proposed development. Prior to submittal of a Development Engineering Plan application, the Master Plan must be revised to remove this open space and multi-use trail or the plat document and Phasing Plan must be revised to include both.

Traffic Impact Study: A Traffic Impact Study was submitted for review and approval with the E. Anamosa Street extension project. The proposed development is in alignment with the projected land uses identified in the Traffic Impact Study.

E. Anamosa Street: E. Anamosa Street is located along the south lot line of the property and is identified as a principal arterial street on the City's Major Street plan requiring that the street be located in a minimum 100-foot wide right-of-way and constructed with a minimum 36-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, a temporary cul-de-sac in compliance with Section 2.13 of the Infrastructure Design Criteria Manual must be provided at the eastern terminus of E. Anamosa Street. The City has previously reviewed and approved construction plans showing that the street is being constructed in compliance with these requirements. No other construction plans for this street are needed as a part of this plat review.

N. Valley Drive: N. Valley Drive is located along the southeast portion of the subject property and is classified as a collector street requiring that the street be located in a minimum 68-foot wide right-of-way and constructed with a minimum 34-foot wide paved surface to allow on-street parking in residential areas, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, a temporary cul-de-sac in compliance with Section 2.13 of the Infrastructure Design Criteria Manual must be provided at the northern terminus of N. Valley Drive. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive must be submitted for review and approval as identified 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.

Diamond Ridge Boulevard: Diamond Ridge Boulevard is classified as a local street requiring that it be located within in a minimum 52-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as the street extends north from E. Anamosa Street and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, a temporary cul-de-sac in compliance with Section 2.13 of the Infrastructure Design Criteria Manual must be provided at the northern terminus of Diamond Ridge Boulevard. Upon submittal of a Development Engineering Plan application, construction plans for Diamond Ridge Boulevard must be submitted for review and approval as identified 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.
application. The applicant should be aware that once the proposed school has been constructed east of Diamond Ridge Boulevard, on-street parking along Diamond Ridge Boulevard may be limited to only one side of the road.

**Rebecca Street and Streets A, B, and C:** Rebecca Street and Streets A, B, and C are classified as local streets requiring that they 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, sewer and water. In addition, a temporary cul-de-sac in compliance with Section 2.13 of the Infrastructure Design Criteria Manual must be provided at the western terminus of Street A. Upon submittal of a Development Engineering Plan application, construction plans for Rebecca Street and Streets A, B, and C must be submitted for review and approval as identified 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. 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.

**Water:** The proposed development is located in the North Rapid Pressure Zone which serves elevations of 3,300 feet to 3,450 feet. The existing infrastructure is inadequate to serve the development, subsequently, the City and developer have an agreement for the design and construction of a booster station which is needed to support this project. The design of the booster station is scheduled for completion in 2022 and construction in 2023. 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. The design report must also incorporate all propose development that has been previously platted in the area. Easements must also be provided as needed.

**Sewer:** The submitted utility plans show a 12-inch sewer main size, however, a design report must be provided to ensure the sewer main is properly sized. Upon submittal of a Development Engineering Plan application, sewer plans and a 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 and the Unnamed Tributary Drainage Basin. As proposed, the grading of the site would create a sump condition along N. Valley Drive. As such, it is recommended that the grading plans be revised to allow emergency overflow of stormwater along N. Valley Drive. Upon submittal of a Development Engineering Plan application, Major Drainage Easements must be included on the plat document between Diamond Ridge Boulevard and Street B, between Street B and N. Valley Drive, and to convey drainage from Lot 27, Block 1 to N. Valley Drive. In addition, a drainage easement may be required along the north side of Lot 27, Block 1. 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. The design report must also incorporate all propose development that has been previously platted in the area. Easements must also be provided as needed.
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 all other identified 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.