

STAFF REPORT
February 23, 2017

No. 17PL003 - Preliminary Subdivision Plan

ITEM 3

GENERAL INFORMATION:

APPLICANT	Kent Hagg - Hagg Brothers LLC
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNER	Hagg Brothers LLC
REQUEST	No. 17PL003 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	That portion of the SW1/4, less Freeland Subdivision, less Prairie Hills Subdivision and less 1 acre tract in the SE1/4 of the SW1/4 of Section 19, T2N, R8E; the unplatted portion of the NW1/4, less Lot H4 and less Lot H5 of Section 30, T2N, R8E, all located in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 1 and 2 of Block 1, Lot 1 and Drainage Lot of Block 2, Freeland Ranch
PARCEL ACREAGE	Approximately 19.44 acres
LOCATION	North of Mall Drive and north and east of Seger Drive
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	Limited Agricultural District (Pennington County)
South:	General Commercial District
East:	General Commercial District - General Agricultural District
West:	Medium Density Residential District (Planned Development Designation) - General Commercial District (Planned Development Designation) - General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	January 13, 2017
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

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RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, the redline drawing comments shall be addressed. In addition, the redline drawing comments shall be returned with the Development Engineering Plan application;
2. 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 as it extends north from E. Mall Drive. In addition, the street shall be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, construction plans for Seger Drive shall be submitted for review and approval showing the street located within a minimum 70 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception 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;
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;
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 plan shall also be in compliance with the Box Elder Drainage Basin or amendments to the basin plan shall be secured. All on-site and off-site drainage improvements as needed for the proposed development shall be provided either as a regional facility or specifically for the development. The project phasing shall be reviewed and drainage improvements provided for each phase while considering the overall drainage plan for the development. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, the drainage plan shall also confirm if any wetlands will be impacted by the project and, if so, permitting through the Army Corp of Engineer, along with wetland mitigation, will be required. Easements shall also be provided as needed and perpetual ownership and maintenance of facilities must be identified;
7. Upon submittal of a Development Engineering Plan application, a geotechnical report including an analysis of soil corrosivity and pavement design for all proposed subdivision improvements shall be submitted for review and approval;
8. Prior to approval of the Development Engineering Plan application, submitted

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- 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;
9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
 10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 11. Upon submittal of a Development Engineering Plan application, a maintenance agreement securing maintenance of the proposed landscape islands located in proposed Street A shall be submitted for review and approval. In addition, the approved agreement shall be submitted with the Final Plat application for recording at the Register of Deed's Office;
 12. Upon submittal of a Development Engineering Plan application, the applicant shall demonstrate ownership and maintenance for the proposed drainage lot. In addition, the approved agreement shall be submitted with the Final Plat application for recording at the Register of Deed's Office;
 13. Prior to submittal of a Final Plat application, proposed street name(s) shall be submitted to the Emergency Services Communication Center for review and approval. Upon submittal of a Final Plat application, the approved street name(s) shall be shown on the plat document;
 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 three lots and a drainage lot, leaving an unplatted balance. The three lots are 9.11 acres, 7.03 acres and 1.88 acres, respectively, and are proposed as the first phase of a four phase development to be known as Freeland Ranch, which includes a total of 71.54 acres. The Master Plan for Freeland Ranch shows a mix of single family, townhome and multi-family development with a small area identified as office commercial and neighborhood commercial.

The property is located north of Mall Drive and north and east of Seger 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.

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STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Master Plan: As previously noted, the applicant has submitted a Master Plan showing a mix of residential development with a small portion identified as office commercial and neighborhood commercial. In addition, the Master Plan identifies that the property will be developed in four phases. The applicant has provided a Letter of Intent describing the development as a “multi-socio-economic level, sustainable, affordable housing community that will provide low cost, build-ready lots and apartment sites to make possible the construction of over 360 affordable housing/workforce dwellings, including single family, multi-family, apartment units and an area designated for a tiny home village”. The three lots identified as Phase One will include a school, an apartment complex and a neighborhood commercial use, respectively. Phase Two and Three identify townhomes located on small lots with reduced setbacks, single family residential lots and a commercial lot located adjacent to Mall Drive. Phase Four identifies additional townhome lots, single family residential lots, an office commercial lot, a tiny home community and areas dedicated as “park open space” and “community garden”. Due to the size of several of the proposed residential lots located in Phase Two, Three and Four and due to the mix of commercial and residential use(s), additional information is needed to insure that sufficient buffering, open space, setbacks, access, etc. are being addressed prior to supporting the Master Plan as presented. In addition, the applicant must clarify if the tiny home development will include creating individual lots and, if so, demonstrating that the individual lots meet minimum City design standards. The applicant should be aware that approval of this Preliminary Subdivision Plan does not indicate approval of the master plan. Staff will continue to work with the applicant to ensure that the Master Plan meets City design standards while creating a unique housing development for the community. In addition, ownership and maintenance of all common areas, park areas and drainage areas must be identified and secured as these phases of the development come forward for review and approval.

Zoning: The property is currently zoned General Agriculture District. The Future Land Use Plan identifies the appropriate use of the property as Low Density Neighborhood. Several of the uses proposed within the Master Plan are not in compliance with uses appropriate for a Low Density Neighborhood. Additional information is needed to determine if it is appropriate to amend the Future Land Use Plan to allow the uses and layout as shown on the associated Master Plan. The applicant should be aware that the zoning issue must be addressed prior to issuance of a building permit.

Street A: The Preliminary Subdivision Plan identifies the extension of a street north from Mall Drive to serve as primary access to the development. The street is classified as a local street requiring that it be located in a minimum 52 foot wide right-of-way with 10 additional feet the first 200 feet as the street extends north from Mall Drive. In addition, the street must be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. The applicant has submitted a site plan showing the first 400 feet of the street located in a 100 foot wide right-of-way and constructed with a 63 foot wide paved surface, tapering to a 70 foot wide right-of-way with a minimum 36 foot wide paved surface extending north through the development. Due to the scope of the campus

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development, the applicant has indicated that a Traffic Impact Study has been commissioned. To date, it is not completed nor is it required as a part of Phase One of the development. However, since the street serves as primary access to the development, the applicant is proposing to construct the street as identified anticipating the recommendations of the Traffic Impact Study to ensure that the street can accommodate traffic generated by the proposed use(s). Please note that staff strongly encourages that a Traffic Impact Study be provided with Phase One so that all of the improvements constructed with Phase One meet the needs of the master Plan for the entire development. The applicant should be aware that a Traffic Impact Study will be required when accumulative peak hour trip generations are expected to exceed 100 vehicles for nonresidential development or any residential development with 150 or more dwelling units. In addition, a Traffic Impact Study may be required if Exception(s) are requested to waive street improvement requirements in order to adequately review the Exception requests and assess the impact of the project on existing or proposed street(s).

The site plan also identifies two landscape islands within the 100 foot right-of-way located with Street A north of Mall Drive intersection. Upon submittal of a Development Engineering Plan application, a maintenance agreement securing maintenance of the proposed landscape islands must be submitted for review and approval. In addition, the approved agreement must be submitted with the Final Plat application for recording at the Register of Deed's Office.

Seger Drive: The Preliminary Subdivision Plan identifies the extension of approximately 120 feet of Seger Drive from Street A between Mall Drive and the southern boundary of Phase One of the proposed development. Seger Drive is classified as a commercial street requiring that it be located in a minimum 70 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for Seger Drive must be submitted for review and approval as identified or an Exception must be obtained. If an Exception is obtained, a copy of the approve document must be submitted with the Development Engineering Plan application.

Drainage: The property is located within 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 plan must also be in compliance with the Box Elder Drainage Basin or amendments to the basin plan must be secured. All on-site and off-site drainage improvements as needed for the proposed development must be provided either as a regional facility or specifically for the development. The project phasing must be reviewed and drainage improvements provided for each phase while considering the overall drainage plan for the development. The drainage report must address storm water quantity control and storm water quality treatment. In addition, the drainage plan must also confirm if any wetlands will be impacted by the project and, if so, permitting through the Army Corp of Engineer, along with wetland mitigation, will be required. Easements must also be provided as needed and perpetual ownership and maintenance of facilities must be identified.

Water: The proposed lots are located in Rapid City service boundary. A 16 inch North Rapid

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Pressure Zone water main is master planned to be located within North Maple Drive located along the west lot line of Freeland Ranch identified as Phase Two and Four of the development. A 12 inch Low Level Pressure Zone water main is master planned to be located within Seger Drive. The campus development is located in two separate pressure zone boundaries with the approximate western side of the development located within the North Rapid Pressure Zone and the approximate eastern side of the development within the Low Level Pressure Zone. Looping of mains must be provided per the Infrastructure Design Criteria Manual for each zone. 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 secured as needed. The applicant should be aware that any request for oversize reimbursement must be agreed upon and approved by the City Council.

Sewer: A gravity sewer main is located within East Mall Drive and can serve the southern portion of the proposed development. A future sanitary sewer main must be extended to 143rd Avenue to the east to serve much of the northern portion of the proposed development. The applicant should be aware that only the areas that can gravity flow will be allowed to be platted until a sewer main is extended to 143rd Avenue or an alternate means is provided to handle the flows. Phase One as shown on this Preliminary Subdivision Plan are located within the southern portion of the property and can utilize the gravity sewer located in East Mall Drive. 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.

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