

STAFF REPORT
November 22, 2017

No. 17PL118 - Preliminary Subdivision Plan

ITEM 4

GENERAL INFORMATION:

APPLICANT	Tony Marshall
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	John De Lorimer Family Trust
REQUEST	No. 17PL118 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lot 3 of the SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 5 thru 19 of Brielle Subdivision
PARCEL ACREAGE	Approximately 3.52 acres
LOCATION	Northeast of the intersection of Fairmont Boulevard and Tower Road
EXISTING ZONING	Office Commercial (Planned Development)
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	General Commercial (Planned Development)
South:	Office Commercial (Planned Development)
East:	General Commercial District
West:	Office Commercial (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	October 27, 2017
REVIEWED BY	Vicki L. Fisher / Ted Johnson

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 comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application;
2. 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

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- 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;
3. Upon submittal of a Development Engineering Plan application, construction plans for Mount Rushmore Road shall be submitted for review and approval showing the street constructed with a dual water main, curb, gutter, sidewalk and street light conduit or an Exception shall be obtained. 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, construction plans for Fairmont Boulevard shall be submitted for review and approval showing the street constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained or the right-of-way shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 5. Upon submittal of a Development Engineering Plan application, construction plans for Morning Glory Court shall be submitted for review and approval showing the street located in a minimum 52 foot wide right-of-way with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. In addition, the cul-de-sac bulb shall be located in a minimum 104 diameter right-of-way with a minimum 84 foot diameter paved surface or an Exception shall be obtained. 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, the plat document shall be revised to include that portion of Morning Glory Court located in proposed Phase Two of the development in order to provide legal access to Phase One of the development;
 7. 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;
 8. 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;
 9. 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;
 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. Upon submittal of a Development Engineering Plan application, a cost estimate of the

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- required subdivision improvements shall be submitted for review and approval;
12. Prior to submittal of a Final Plat application, the plat document shall be revised to show the Certificate of Ownership as "The John and Lenore de Lorimier Family Trust";
 13. 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;
 14. Prior to submittal of a Final Plat application, a different street name for Morning Glory Court 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;
 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;
 16. 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); and,
 17. Upon submittal of a Final Plat application, a Covenant Agreement shall be submitted for recording at the Register of Deed's Office to ensure that residential fire sprinkler protection is designed and installed as per NFPA 13D throughout all new residential structures or the plat document shall be revised eliminating two of the lots creating no more than 20 lots on a cul-de-sac street.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to create 15 residential lots as Phase One of a proposed two phase development. The applicant's Master Plan identifies an additional 7 residential lots and the vacation of a portion of Tower Road right-of-way located along the south lot line of Phase Two. The applicant has indicated that the development will include townhomes and single family residences. The lots in Phase One range in size from 0.104 acres to .591 acres and are to be known as Lots 5 through 19 of Brielle Subdivision.

The applicant has also submitted a Vacation of Right-of-Way request (File #17VR008) to vacate that portion of Fairmont Boulevard located along the west lot line of the property.

The property is located west of Mount Rushmore Road and north of Tower Road. 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

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Designation. The Office Commercial District allows both townhome and single family residential development. Since the property is located within a Planned Development Designation, a Final Planned Development must be approved by the Planning Commission prior to issuance of a building permit.

Master Plan: The applicant's Master Plan identifies that Brielle Subdivision will be platted in two phases. Phase Two includes the proposed vacation of a portion of Tower Road and incorporates this acreage into four of the proposed lots. The applicant should be aware that the plat document must be revised if this portion of Tower Road is not vacated prior to submittal of a Final Plat for Phase Two of the development.

Morning Glory Court: The applicant's Master Plan identifies the extension of Morning Glory Court from Tower Road, through Phase Two to serve as access to Phase One. As previously noted, this Preliminary Subdivision Plan only includes those lots located in Phase One. Morning Glory Court, a cul-de-sac street, is classified as a local street requiring that it 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, water and sewer. In addition, the cul-de-sac bulb must be located in a minimum 104 diameter right-of-way and constructed with a minimum 84 diameter paved surface. Upon submittal of a Development Engineering Plan application, construction plans for Morning Glory Court must be submitted for review and approval as identified or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

As previously noted, Morning Glory Court extends through proposed Phase Two to serve as access to proposed Phase One. However, the plat document does not include the portion of Morning Glory Court located in Phase Two. As such, prior to submittal of a Development Engineering Plan application, the plat document must be revised to include all of Morning Glory Court in order to secure access to Phase One.

The Emergency Services Communication Center has indicated that the street name, Morning Glory 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.

Mount Rushmore Road: Mount Rushmore Road is located along the east lot line of the property and is classified 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 dual water mains. Currently, Mount Rushmore Road is constructed to principal arterial street standards with the exception of sidewalk, street light conduit, curb, gutter and a second water main. Upon submittal of a Development Engineering Plan application, construction plans for Mount Rushmore Road must be submitted for review and approval as identified or an Exception must be obtained. If an Exception is obtained a copy of the approved document must be submitted with the Development Engineering Plan application.

Fairmont Street: Fairmont Street is located along the west lot line of the property and is

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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, sewer and water. An 80 foot wide right-of-way has previously been dedicated for Fairmont Boulevard but it is currently unimproved. As previously noted, the applicant has submitted a Vacation of Right-of-way request to vacate Fairmont Boulevard as it abuts the property. Upon submittal of a Development Engineering Plan application, construction plans for Fairmont Boulevard must be submitted for review and approval as identified or an Exception must be obtained or the right-of-way must be vacated. 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 and Mount Rushmore 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 and Mount Rushmore 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.

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

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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.