

STAFF REPORT
March 21, 2013

No. 13PL019 - Preliminary Subdivision Plan

ITEM 8

GENERAL INFORMATION:

APPLICANT	Parkview Estate LLC
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Parkview Estates, LLC
REQUEST	No. 13PL019 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	The unplatted balance of the W1/2 of the NW1/4 of the SW1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1A, Lots 1 thru 6 and Common Lot 1 of Block 1, Lot 1 of Block 2, Dedicated Hanover Drive right-of-way and Dedicated Parkview Drive right-of-way of Parkview Estates
PARCEL ACREAGE	Approximately 3.64 acres
LOCATION	East of Parkview Drive south of Minnesota Street
EXISTING ZONING	Medium Density Residential District - Low Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Agricultural District
East:	Medium Density Residential District - Low Density Residential District
West:	Medium Density Residential District (Planned Development) - Public District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	February 22, 2013
REVIEWED BY	Vicki L. Fisher / Brandon Quiett

RECOMMENDATION:

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

STAFF REPORT
March 21, 2013

No. 13PL019 - Preliminary Subdivision Plan

ITEM 8

1. Prior to submittal of a Development Engineering Plan application, the construction plans and plat shall be revised to address all red line comments. In addition, the revised construction plans, plat and the red line comments shall be returned to the Community Planning & Development Services Department with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, agreements securing maintenance and ownership of the stormwater collection system, the underground detention proposed between Lots 1 and 2 of Block 1 and the stormwater facility located on Common Lot 1 shall be submitted for review and approval. Prior to submittal of a Final Plat application, the approved agreement(s) shall be recorded at the Register of Deed's Office and a copy of the recorded agreement(s) shall be submitted with the Final Plat application;
3. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show a stormwater easement dedicated where the stormwater collection system crosses multiple property lines. In addition, construction plans shall be submitted showing the stormwater line moved out of the sanitary sewer easement;
4. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show a stormwater easement dedicated between proposed Lots 1 and 2 of Block 1 for the underground detention;
5. Upon submittal of a Development Engineering Plan application, drainage data verifying that the relocation of the Major Drainage Easement continues to accommodate drainage flows shall be submitted for review and approval or the plat document shall be revised accordingly;
6. Upon submittal of a Development Engineering Plan application, construction plans for Hanover Drive shall be submitted for review and approval. In particular, the construction plans shall show the street located within a 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 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. The plans shall also include a hydraulic analysis of the stormwater structure under Hanover Drive and a utility trench backfill recommendation from the Geotechnical Engineer for the public utilities;
7. Upon submittal of a Development Engineering Plan application, a water analysis report and plans in accordance with the Infrastructure Design Criteria Manual shall be submitted for review and approval;
8. Upon submittal of a Development Engineering Plan application, a sanitary sewer analysis report and plans in accordance with the Infrastructure Design Criteria Manual shall be submitted for review and approval;
9. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. 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;
10. Upon submittal of a Development Engineering Plan application, geotechnical analysis and pavement design shall be submitted for review and approval or the minimum required pavement section as per the Infrastructure Design Criteria Manual shall be provided;

STAFF REPORT
March 21, 2013

No. 13PL019 - Preliminary Subdivision Plan

ITEM 8

11. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
12. 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,
13. 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 application to create 8 lots and a "Common Lot". The applicant has indicated that future development of the site will result in the 8 lots being subdivided into 24 townhome lots and that the "Common Lot" will be used as an area to accommodate a stormwater facility for the proposed development.

The property is currently a 3.64 acre unplatted balance. As such, the property must be platted prior to transfer of ownership pursuant to State and City regulations. Please note that the ownership of this property has recently been transferred in violation of State and City Regulations. The applicant has subsequently submitted a Preliminary Subdivision Plan application in order to address the existing violation.

On December 14, 2012, the applicant submitted a Rezoning application to rezone a portion of the property from Low Density Residential District to Medium Density Residential District (File #12RZ019). In addition, the applicant has submitted an Initial and Final Planned Development application (File #12PD043) to allow a multi-family development to be constructed on the property. The Rezone application and the Initial and Final Planned Development application will be considered at the April 4, 2012 Planning Commission meeting.

On March 4, 2013, the City Council approved a Preliminary Subdivision Plan application (File #13PL010) to subdivide the property into two lots. The applicant has subsequently submitted this Preliminary Subdivision Plat application to create 8 lots and a Common Lot as noted above.

The property is located east of Parkview Drive, south of Minnesota 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 applicant has submitted a site plan showing the future development of 24

STAFF REPORT
March 21, 2013

No. 13PL019 - Preliminary Subdivision Plan

ITEM 8

townhome units on individual lots and a common lot to accommodate a stormwater facility. As previously noted, the applicant has submitted a Rezone application to change the zoning designation of the property from Low Density Residential District to Medium Density Residential District and an Initial and Final Planned Development to allow the townhome development. The applicant should be aware that prior to issuance of a building permit, the property must be rezoned as proposed and a Final Planned Development must be approved to allow the townhome development.

Minnesota Street: Minnesota Street is located along the north lot line of the property and is classified as a minor arterial street on the City's Major Street Plan. Pursuant to the Infrastructure Design Criteria Manual, a minor arterial street must be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Minnesota Street is located within an 80 foot wide right-of-way and constructed with a 36 foot wide paved surface, curb, gutter, street light conduit and water. The applicant has submitted and the City has approved Exception requests to waive the requirement to install sewer along this section of Minnesota Street, to deviate the location of the sidewalk due to an existing drainage ditch, and to waive the requirement to dedicate additional right-of-way with the stipulation that a 10 foot wide pedestrian access and utility easement be dedicated on the plat document. With these Exceptions, Minnesota Street meets the minimum requirements set forth by the Infrastructure Design Criteria Manual.

Hanover Drive: The proposed plat identifies the extension of Hanover Drive through the southern portion of the property. Hanover Drive is classified as a local street requiring that it be located within 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.

Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval showing Hanover Drive being constructed as a local street 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. The plans must also include a hydraulic analysis of the stormwater structure under Hanover Drive and a utility trench backfill recommendation from the Geotechnical Engineer for the public utilities.

Drainage Evaluation: The proposed plat identifies the relocation and reduction of an existing Major Drainage Easement located on the proposed "Common Lot". Upon submittal of a Development Engineering Plan application, drainage data verifying that the relocation of the Major Drainage Easement continues to accommodate drainage flows must be submitted for review and approval or the plat document must be revised accordingly. In addition, the plat document must be revised to show a stormwater easement dedicated where the stormwater collection system crosses multiple property lines. The construction plans must also be submitted showing the stormwater line moved out of the sanitary sewer easement. In addition, the plat document must be revised to show a stormwater easement dedicated between proposed Lots 1 and 2 of Block 1 for the underground detention.

Staff recommends that upon submittal of a Development Engineering Plan application, the drainage data and revised plat document be submitted as identified. In addition, staff

STAFF REPORT
March 21, 2013

No. 13PL019 - Preliminary Subdivision Plan

ITEM 8

recommends that upon submittal of a Development Engineering Plan application, agreements securing maintenance and ownership of the stormwater collection system, the underground detention proposed between Lots 1 and 2 of Block 1 and the stormwater facility located on Common Lot 1 be submitted for review and approval. Prior to submittal of a Final Plat application, the approved agreement(s) must be recorded at the Register of Deed's Office and a copy of the recorded agreement(s) must be submitted with the Final Plat application.

Water System Evaluation: The property is located in the Rapid City water service area. Upon submittal of a Development Engineering Plan application, a water analysis, report and plans in accordance with the Infrastructure Design Criteria Manual must be submitted for review and approval.

Sewer System Evaluation: The property is located in the Rapid City sanitary sewer service area. Upon submittal of a Development Engineering Plan application, a sanitary sewer analysis report and plans in accordance with the Infrastructure Design Criteria Manual must be submitted for review and approval.

A sewer main currently exists along Parkview Drive. Upon submittal of a Development Engineering Plan application, the location of the sewer main in relationship to the existing and the proposed right-of-way must be identified. In addition, the plat document must be revised as needed to ensure that a minimum ten foot wide right-of-way and/or easement exists on both sides from the center of the sewer pipe.

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 submittal of a Final Plat application or prior to commencing construction, whichever occurs first, a Development Agreement be entered into with the City for all public improvements if applicable.

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.