

STAFF REPORT
May 23, 2013

No. 13PL040 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT	Jake Boerger
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Rushmore Properties, LLC
REQUEST	No. 13PL040 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lots 1 through 6 and Lots 10 through 27 of Block 1 of Settlers Creek Townhomes, located in the NE1/4 of the SE1/4 and the NW1/4 of the SE1/4 of Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1R, 3R, 4R, 6R, 10R, 11R, 13R, 14R, 15R, 17R, 18R, 20R, 22R, 24R, and 25R, all in Block 1 of Settlers Creek Townhomes
PARCEL ACREAGE	Approximately 3.42 acres
LOCATION	South of Philadelphia Street between North 11th Street and Founders Park Drive
EXISTING ZONING	Office Commercial District (Planned Development)
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Development)
South:	Office Commercial District (Planned Development)
East:	Medium Density Residential District
West:	Office Commercial District (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	April 26, 2013
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

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

STAFF REPORT
May 23, 2013

No. 13PL040 - Preliminary Subdivision Plan

ITEM 2

1. Upon submittal of a Development Engineering Plan application, construction plans for Founders Park Drive shall be submitted for review and approval showing a sidewalk along the street or a Variance shall be obtained from City Council. In addition, the plat document shall be revised to show the dedication of 4.5 additional feet of right-of-way along Founders Park Drive 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;
2. Upon submittal of a Development Engineering Plan application, construction plans for Philadelphia Street shall be submitted for review and approval showing a sidewalk along the entire north side of the street or a Variance shall be obtained from City Council;
3. Upon submittal of a Development Engineering Plan application, construction plans for Eleventh Street shall be submitted for review and approval showing a sidewalk along the east side of the street or a Variance shall be obtained from Council;
4. Upon submittal of a Development Engineering Plan application, construction plans for Settlers Creek Place shall be submitted for review and approval showing the easement with a minimum width of 52 feet and constructed with a minimum 26 foot wide paved surface or an Exception shall be obtained. In addition, construction plans shall be submitted showing a sidewalk being constructed along Settlers Creek Place or a Variance from City Council shall be obtained;
5. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow an easement to serve 44 lots in lieu of 4 lots or the plat document shall be revised showing Settlers Creek Drive located within right-of-way. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
6. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted showing the installation and/or abandonment of water and sewer services as well as relocated curb cuts;
7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
8. Prior to submittal of a Final Plat application, the plat document shall be revised to show the existing eight foot wide minor drainage and utility easement(s) along the lot lines being eliminated and/or relocated or the plat document shall show that the easement(s) are being vacated. If the easements are being vacated, documentation shall be submitted showing that the utility companies concur with vacating the easement(s);
9. 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,
10. 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 replat 24 lots into 15 lots in order to create a mix of single family residential lots and two unit townhome lots. The lots range in size from 0.165 acres to 0.376 acres and are a part of the Settlers Creek Townhome Subdivision. The applicant has also submitted a Major Amendment to the existing Planned Development (File #13PD040) to allow single family residential lots and two unit townhomes to be constructed on the property in lieu of the previously approved

STAFF REPORT
May 23, 2013

No. 13PL040 - Preliminary Subdivision Plan

ITEM 2

three and four unit townhome development.

The property was originally platted and associated Planned Developments approved in 2007 to allow a townhome development with a clubhouse. However, due to market demand, the applicant is proposing to redevelop the site to allow a mix of townhomes and single family homes. In addition, the clubhouse was previously removed from the plan.

The property is located south of Philadelphia Street, between Founders Park Drive and 11th Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Founders Park Drive: Founders Park Drive is classified as a collector street on the City's Major Street Plan requiring that it be located within a minimum 68 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, water and sewer. Founders Park Drive is currently located within a 59 foot wide right-of-way and has been constructed to meet the minimum design standards of a collector street with the exception of a sidewalk along the street. As such, upon submittal of a Development Engineering Plan application, construction plans for Founders Park Drive must be submitted for review and approval showing a sidewalk along the street or a Variance must be obtained from City Council. In addition, the plat document must be revised to show the dedication of 4.5 additional feet of right-of-way along Founders Park Drive 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.

Philadelphia Street: Philadelphia Street is classified as a collector street on the City's Major Street Plan requiring that it be located within a minimum 68 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, water and sewer. Philadelphia Street has been constructed to meet the minimum design standards of a collector street with the exception of a sidewalk along a portion of the north side of the street. As such, upon submittal of a Development Engineering Plan application, construction plans for Philadelphia Street must be submitted for review and approval showing a sidewalk along the entire north side of the street or a Variance must be obtained from City Council.

Eleventh Street: Eleventh Street 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. Eleventh Street has been constructed to meet the minimum design standards of a local street with the exception of a sidewalk along the east side of the street. As such, upon submittal of a Development Engineering Plan application, construction plans for Eleventh Street must be submitted for review and approval showing a sidewalk along the east side of the street or a Variance must be obtained from Council;

Settlers Creek Place: Settlers Creek Place 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

STAFF REPORT
May 23, 2013

No. 13PL040 - Preliminary Subdivision Plan

ITEM 2

wide paved surface, curb, gutter, sidewalk street light conduit, water and sewer. Settlers Creek Place has been constructed to meet the minimum design standards of a local street with the exception of a sidewalk along a portion of the street and a 20 foot wide paved surface in lieu of a minimum 26 foot wide paved surface. In addition, Settlers Creek Place is located within a 47 foot wide easement. As such, upon submittal of a Development Engineering Plan application, construction plans for Settlers Creek Place must be submitted for review and approval showing the easement with a minimum width of 52 feet and constructed with a minimum 26 foot wide paved surface or an Exception must be obtained. In addition, construction plans must be submitted showing a sidewalk being constructed along Settlers Creek Place or a Variance from City Council must be obtained.

The Infrastructure Design Criteria Manual states that a private street and/or easement may not serve more than four lots. Upon replatting the property as proposed, Settlers Creek Place will serve 44 lots. As such, prior to submittal of a Development Engineering Plan application, an Exception must be obtained to allow an easement to serve 44 lots in lieu of 4 lots or the plat document must be revised showing Settlers Creek Drive located within right-of-way as noted above. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Utilities/Curb Cuts: Upon submittal of a Development Engineering Plan application, construction plans must be submitted showing the installation and/or abandonment of water and sewer services as well as relocated curb cuts to accommodate the adjusted lot layout. The applicant should be aware that the construction to adjust the water and sewer services and curb cuts is required at the time that a building permit is obtained and the improvements must be completed prior to issuance of a Certificate of Occupancy.

Easements: An eight foot wide minor drainage and utility easement currently exists along the existing interior lot lines. Relocating and/or eliminating the lot lines as proposed will require that the easements be vacated or the plat document must be revised to show the existing easements.

Prior to submittal of a Final Plat application, the plat document must be revised to show the existing eight foot wide minor drainage and utility easement(s) along the lot lines being eliminated and/or relocated or the plat document must show that the easement(s) are being vacated. If the easements are being vacated, documentation must be submitted showing that the utility companies concur with vacating the easement(s).

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.