

STAFF REPORT
May 6, 2010

No. 10PL021 - Preliminary Plat

ITEM 11

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	SSST, LLC
REQUEST	No. 10PL021 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	An unplatted portion of the E1/2 of the SW1/4, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 22 of Block 4, Lots 1 thru 15 of Block 5, Lots 1 & 2 of Block 6, Lot 1 of Block 7, Rust Ridge Court right-of-way, Fieldstone Drive right-of-way and Vinecliff Drive right-of-way of Elks Crossing, located in the E1/2 of the SW1/4, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.0 acres
LOCATION	East of Elk Vale Road on Fieldstone Drive
EXISTING ZONING	Low Density Residential II District (Planned Development Designation)
SURROUNDING ZONING	
North:	Low Density Residential II District (Planned Development Designation)
South:	Low Density Residential II District (Planned Development Designation)
East:	Low Density Residential II District (Planned Development Designation)
West:	Low Density Residential II District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/26/2010
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Preliminary Plat be approved with the following stipulations:

1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be

STAFF REPORT
May 6, 2010

No. 10PL021 - Preliminary Plat

ITEM 11

- made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to Preliminary Plat approval by the City Council, the construction plans shall be revised to show the cul-de-sac bulb for Rust Ridge Court with a minimum 96 foot diameter paved surface in lieu of a 94 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained;
 3. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;
 4. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show a non-access easement along the entire west lot line of Lots 15 and 20 of Block 4 or an Exception to the Street Design Criteria Manual shall be obtained;
 5. Prior to Preliminary Plat approval by the City Council, the construction plans shall be revised to eliminate the proposed parking lot on Lot 13, Block 4. In addition, the construction plans shall be revised to show water and sewer service to the lot or a Variance to the Subdivision Regulations shall be obtained;
 6. Prior to Preliminary Plat approval by the City Council, a Master Utility Plan showing private utilities shall be submitted for review and approval;
 7. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 8. **Upon submittal of a Final Plat application, the applicant shall submit a copy of a recorded covenant agreement which states that fire sprinkler protection shall be provided for any one and/or two family dwelling units greater than 3,600 square feet in area and for all commercial construction;**
 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;
 10. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 11. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS:

(Update, April 26, 2010. All revised and/or added text is shown in bold print.) This item was continued at the April 22, 2010 Planning Commission meeting at the applicant's consultants request. Prior to that, staff met with the applicant and the property owner to discuss water issues specific to residential fire protection requirements. As a result of the meeting, stipulation No. 8 has been revised eliminating the requirement that the previously approved water system improvement to create a looped system along Marlin Drive be completed and accepted by the City prior to submittal of a Final Plat application. Instead, the Fire Department has indicated that upon submittal of a Final Plat application, the applicant must submit a copy of a recorded covenant agreement which states that fire sprinkler protection be provided for any one and/or two family dwelling units greater than 3,600 square feet in area and for all commercial construction. Based on available fire flows, this

STAFF REPORT
May 6, 2010

No. 10PL021 - Preliminary Plat

ITEM 11

restriction is needed to insure that the development meets the International Fire Code requirements for fire protection.

The applicant has submitted a Preliminary Plat to create 40 residential lots. The proposed plat is a part of the Elks Crossing development.

On October 16, 2006, the City Council approved a Layout Plat (File #06PL143) to create 107 residential lots as a part of the Plum Creek Development, which included this property. This Layout Plat has subsequently expired.

On October 6, 2008, the City Council approved a Layout Plat (File #08PL127) to subdivide 86.4 acres into four phases for a total of 132 lots. This Preliminary Plat is for Phase Two of the development.

The property is located east of Elk Vale Road at the western terminus of Fieldstone Drive. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Preliminary Plat and has noted the following considerations:

Zoning: The property is currently zoned Low Density Residential II with a Planned Development Designation. The applicant should be aware that prior to issuance of a building permit, an Initial and Final Residential Development Plan must be submitted for review and approval by the Planning Commission.

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed Preliminary Plat identifies that four of the lots will have a length twice the distance of the width. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception must be obtained to allow a lot twice as long as it is wide or the plat document must be revised to comply with the length to width requirement.

Rust Ridge Court: Rust Ridge Court extends west off Fieldstone Drive and is designed as a cul-de-sac street serving as access to six lots. The street is classified as a lane place street requiring that it be located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the permanent turnaround at the end of the cul-de-sac must be located in a minimum 110 foot diameter right-of-way and constructed with a minimum 96 foot diameter paved surface. The construction plans show Rust Ridge Court constructed as identified with the exception of a 94 foot diameter paved surface within the cul-de-sac bulb in lieu of the required 96 foot diameter paved surface. As such, prior Preliminary Plat approval by the City Council, the construction plans must be revised to show the cul-de-sac bulb with a minimum 96 foot diameter paved surface in lieu of a 94 foot diameter paved surface or a Variance to the Subdivision Regulations must be obtained.

Street Connections: The previously approved Layout Plat identified Fieldstone Drive, Duckhorn Street and Vinecliff Drive intersecting with Minnesota Street within an approximate 600 foot

STAFF REPORT
May 6, 2010

No. 10PL021 - Preliminary Plat

ITEM 11

area. Concern was noted that the intersecting streets along Minnesota Street were not in compliance with the Street Design Criteria Manual. As such, the Layout Plat was approved with the stipulation that upon submittal of a Preliminary Plat application, the plat document be revised eliminating one of the three street connections to Minnesota Street. In addition, the lots must be reconfigured as needed to accommodate the elimination of the street.

Staff has subsequently reviewed the design of the three street intersections along Minnesota Street and noted that they provide an approximate 200 foot separation along Minnesota Street which exceeds the required minimum 115 foot separation as per the Street Design Criteria Manual. As such, the three street intersections along Minnesota Street are designed pursuant to the Street Design Criteria Manual precluding the need to eliminate one of the connections.

Non-Access Easements: Lots 15 and 20 of Block 4 are corner lots abutting Rust Ridge Court, a lane place street, and Fieldstone Drive, a sub-collector street. The Street Design Criteria Manual states that access must be taken from the less traveled street, which in this case is Rust Ridge Court.

Staff recommends that prior to Preliminary Plat approval by the City Council, the plat document be revised to show a non-access easement along the entire west lot line of Lots 15 and 20 of Block 4 as they abut Fieldstone Drive or an Exception to the Street Design Criteria Manual must be obtained.

Park: The construction plans identify "future park parking" to be constructed on Lot 13 of Block 4. However, the construction of the off-street parking facility is not a subdivision improvement and, as such, must be removed from the construction plans. A public park is a conditional use in the Low Density Residential II District requiring that an Initial and Final Planned Residential Development application be submitted for review and approval to allow a public park on the property. Staff recommends that prior to Preliminary Plat approval by the City Council, the construction plans be revised to eliminate the proposed parking lot on Lot 13, Block 4. In addition, the construction plans must be revised to show water and sewer service to the lot or a Variance to the Subdivision Regulations must be obtained.

The applicant should be aware that the proposed design of the parking lot does not meet the minimum requirements as per the City's adopted Parking Regulations. In particular, a minimum 18 foot long parking space with a minimum 26 foot wide access aisle must be provided. If curb or curb stops are employed and a 4 foot wide usable sidewalk is retained, up to 2 feet of the stall length may overhand the curb. The applicant should also be aware that ownership and maintenance of the park must be identified as a part of the Initial and Final Planned Residential Development application for this portion of the property.

Water: On July 1, 2009, Dream Design International Inc. submitted a design report titled "Elks Crossing Water Analysis" which identified a loop in the City's "Low Level Pressure Zone" to increase the flows and improve the water pressures for this development during times when emergency water flows are required. On December 10, 2009, the Planning Commission approved a SDCL 11-6-19 Review (File #09SR074) to construct the water system improvement along Marlin Drive creating the loop in the water system. To date, the water system loop has not been constructed.

STAFF REPORT
May 6, 2010

No. 10PL021 - Preliminary Plat

ITEM 11

The Elks Crossing Phase Two Water Design Report identifies that in addition to the fire hydrant located at the intersection of Willow Bend Road and Sand Cherry Lane, there are three additional fire hydrant locations located in the "Low Level Pressure Zone" where the future flow rate will be less than 1,750 gpm at 20 psi residual pressure. There are existing dwelling units located within this development which are in excess of 3600 square feet in area. Those homes may no longer meet the International Fire Code requirements for fire protection. Additional development, without the proposed water system improvements creating the looped system will negatively affect the fire flow available for homes located in this water pressure zone. As such, staff recommends that prior to submittal of a Final Plat application, the previously approved water system improvement to create a looped system along Marlin Drive be completed and accepted by the City.

The Fire Department recently conducted a flow test on a fire hydrant located at the intersection of Willow Bend Road and Sand Cherry Lane. This test was conducted April 8, 2010 at approximately 9:30 am. The domestic water demand at this time would be considered very low. This hydrant is located at the end of a dead end line and can be considered the worst case scenario within this development. Using the information obtained from the flow test, the existing flow rate is calculated to be approximately 2010 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure. Based on information provided in the applicant's Elks Crossing Phase II Water Design Report, the future flow rate is calculated to be approximately 1420 gpm at 20 psi residual pressure when this area is fully developed, including the 40 proposed lots for Elks Crossing Phase Two.

The International Fire Code requires that a minimum of 1,000 gallons per minute fire flow at 20 psi residual pressure shall be provided for residential structures of up to 3,600 square feet in area. Fire flows of up to 1,750 gallons per minute at 20 psi residual pressure shall be provided for residential structures 3,601 to 4,800 square feet in area as per IFC Table B105.1. Residential structures larger than 4,800 square feet shall meet fire flow requirements as stated in Table B105.1 of the International Fire Code. If the fire flow requirements cannot be provided, then residences shall be protected throughout with an approved residential fire sprinkler system. Per the International Fire Code, the existing flow rate of 2010 gpm would allow a dwelling unit up to 6200 square feet in area, while the future flow rate of 1420 gpm would allow a dwelling unit of a maximum 3,600 square feet floor area unless residential sprinklers are installed.

(Update: April 26, 2010.) As previously indicated, on April 21, 2010, staff met with the applicant and the property owner to discuss water issues specific to residential fire protection requirements. As a result of the meeting, stipulation No. 8 has been revised eliminating the requirement that the previously approved water system improvement to create a looped system along Marlin Drive be completed and accepted by the City prior to submittal of a Final Plat application. Instead, the Fire Department has indicated that upon submittal of a Final Plat application, the applicant must submit a copy of a recorded covenant agreement which states that fire sprinkler protection be provided for any one and/or two family dwelling units greater than 3,600 square feet in area and for all commercial construction. Based on available fire flows, this restriction is needed to insure that the development meets the International Fire Code requirements for fire protection.

STAFF REPORT
May 6, 2010

No. 10PL021 - Preliminary Plat

ITEM 11

Infra-structure Development Partnership Fund Payment: The applicant has previously entered into an agreement with the City to repay the Infra-structure Development Partnership Fund payment upon approval of a Final Plat application. The applicant should be aware that upon approval of a Final Plat for this phase, an IDPF loan payment of \$64,122.12 must be submitted to the City.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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 addition, 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. As such, staff is recommending that prior to the City's acceptance of the public improvements, warranty surety be submitted for review and approval as required.

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.