STAFF REPORT
November 8, 2012

No. 12PL076 - Preliminary Subdivision Plan **ITEM 3**

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
AGENT	Dream Design International, Inc.
PROPERTY OWNER	SSST LLC
REQUEST	**No. 12PL076 - Preliminary Subdivision Plan**
EXISTING LEGAL DESCRIPTION	A portion of the E1/2 of the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 3 through 20 of Block 6, Lots 2 through 5 of Block 7, Lots 1 through 15 of Block 8, Duckhorn Street right-of-way and Vinecliff Drive right-of-way of Elks Crossing Subdivision
PARCEL ACREAGE	Approximately 7.835 acres
LOCATION	At the current southern terminus of Vinecliff Drive
EXISTING ZONING	Low Density Residential District 2 (Planned Development) - Medium density Residentilal District (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential District 2 (Planned Development)
South:	General Agricultural Distirct
East:	Low Density Residential District 2 (Planned Development)
West:	Low Density Residential District 2 (Planned Development), Medium density Residentilal District (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	October 12, 2012
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. Prior to submittal of the Development Engineering Plan application, the redlined comments on the construction drawings and the plat document shall be addressed. In particular, the drawings shall be revised pursuant to the redline comments or Exception(s) to the Infrastructure Design Criteria Manual and/or the Standard Specifications shall be obtained. Exceptions shall be obtained prior to submittal of a Development Engineering Plan application and a copy of the approved Exception shall be submitted with the application. The redlined comments shall be returned to the Engineering Services Division of the Public Works Department;
2. 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 and contain a Certification Statement of Conformance with City Standards in compliance with the Infrastructure Design Criteria Manual;
3. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow the use of asphalt millings as a base course or the construction plans shall be revised to meet City Standards. 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, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
5. Upon submittal of a Development Engineering Plan application, the Water Design Report shall be revised to comply with the requirements set forth in Section 3.9 of the Infrastructure Design Criteria Manual to ensure that estimated domestic flows and required fire flows are being provided. In addition, the Design Report shall be signed and sealed by a Professional Engineer;
6. Upon submittal of a Development Engineering Plan application, the Sanitary Sewer Design Report shall be revised to comply with the requirements set forth in Section 3.12 of the Infrastructure Design Criteria Manual demonstrating that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity. In addition, the Design Report shall be signed and sealed by a Professional Engineer;
7. Upon submittal of a Development Engineering Plan application, the Elks Crossing Drainage Report dated December 17, 2008 shall be updated to address any changes that may have changed since the report was completed. If conditions have not changed to warrant a revision to the report, than a statement shall be added to the report stating that conditions have not changed. In addition, the report shall be signed and sealed by a Professional Engineer and the date on the report shall be revised accordingly;
8. Upon submittal of a Development Engineering Plan application, hydraulic design information for the drainage channel proposed along the rear yards of Lots 1 thru 15 of Block 8 shall be submitted for review and approval. In particular, the hydraulic design information shall confirm that the 100 year storm is contained within the proposed 20 foot wide Major Drainage Easement. In addition, a Miscellaneous Document shall be recorded at the Register of Deed's Office securing the 20 foot wide Major Drainage Easement. A copy of the recorded document shall be submitted with the Development

Engineering Plan application;

9. Prior to submittal of a Final Plat application, a Maintenance Agreement shall be submitted for review and approval securing maintenance of the proposed Major Drainage Easement. Upon approval, the document shall be recorded at the Register of Deed's Office and a copy of the recorded document shall be submitted with the Final Plat application;
10. Prior to submittal of a Final Plat application, the water main improvements along Marlin Drive and E. Minnesota Street through the Duckhorn Drive intersection shall be completed and accepted by the City to provide adequate fire flow to the proposed development or surety shall be posted to ensure that the water main is completed by March 1, 2013 as proposed by the applicant;
11. Prior to submittal of a Final Plat application or prior to commencing construction, whichever occurs first, a Development Agreement shall be entered into with the City for all public improvements if applicable;
12. Prior to submittal of a Final Plat application, the Infrastructure Development Partnership Fund payment shall be paid. In addition, a copy of the receipt verifying payment shall be submitted with the Final Plat application;
13. 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,
14. 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 37 residential lots, leaving a 27.835 acre unplatted non-transferable balance. The proposed development is part of the Elks Crossing Subdivision.

The property is located along the north side of East Minnesota Street, at the current southern terminus of Vinecliff 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.

STAFF REVIEW:

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

Zoning: The northern portion of the property is zoned Low Density Residential District with a Planned Residential Development to allow the construction of single family residences or townhomes. The southern portion of the property is zoned Medium Density Residential District with a Planned Development Designation. To date, a Final Planned Development has not been approved for this portion of the property. The Preliminary Subdivision Plan

identifies a different lot layout than was approved as a part of the Planned Residential Development approved for that portion of the property zoned Low Density Residential District. As such, prior to issuance of a building permit, a Final Planned Development Overlay must be approved for all of the lots as shown on this Preliminary Subdivision Plan.

Streets: Vinecliff Drive and Duckhorn Drive are classified as local streets requiring that they 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. The construction plans show that the streets are being constructed to meet the minimum design standards of a local street with the exception of the use of asphalt millings as a base course. As such, staff recommends that prior to submittal of a Development Engineering Plan application, an Exception be obtained to allow the use of asphalt millings as a base course or the construction plans must be revised to meet City Standards. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Street Name: The Emergency Services Communication Center has voiced concern that Duckhorn Street is similar to Buckhorn Drive, an existing street located in Springbrook Acres. In order to avoid any confusion for emergency responders, the Emergency Services Communication Center is encouraging the applicant to choose a different street name.

Water: In March, 2012, the City adopted the Infrastructure Design Criteria Manual. The applicant has submitted a Water Design Report that, in part, does not comply with the Infrastructure Design Criteria Manual. As such, staff recommends that upon submittal of a Development Engineering Plan application, the Water Design Report be revised to comply with the requirements set forth in Section 3.9 of the Infrastructure Design Criteria Manual to ensure that estimated domestic flows and required fire flows are being provided. In particular, the Water Design Report must be revised as follows:

a. The model must be performed under 50% and 100% reservoir full conditions;
b. Modeling must be completed from the reservoir to the proposed development. The Elk Vale Reservoir is 20 feet deep with an overflow elevation of 3406 feet. Adding a reservoir and pump within the model provides results with essentially an unlimited amount of water, which is not realistic to what actually is within the system;
c. Fire flow scenarios must be analyzed under peak day demand conditions on all nodes;
d. Maximum velocity in the pipe must be limited to 12ft/sec under peak day demand with fire flow conditions; and,
e. Include design information as required in Infrastructure Design Criteria Manual Table 3-1 and 3-2.

Even with the construction of the water system as per the construction plans submitted with this application, the lowest available fire flows of 1,510 gallons per minute (gpm) within the Elks Crossing development prevent the construction of homes in excess of 3,600 square feet unless residential sprinkler systems are provided or a water connection is made along E. Minnesota Street and Marlin Drive creating a looped water system. The water system improvements along East Minnesota Street are currently being constructed. The applicant has indicated that the water system improvement along Marlin Drive is under contract to be constructed and that the looped system will be completed by March 1, 2013. The applicant

has previously submitted a water model schematic indicating that 2,500 gpm of fire flow will be available for the proposed development once the water connection along Marlin Drive and E. Minnesota Street is completed. In order to ensure that adequate fire flow is maintained to serve the existing residential development(s) within this area and to ensure that adequate fire flow will be provided to the proposed residential development, staff recommends that prior to submittal of a Final Plat application, the water main improvements along Marlin Drive and E. Minnesota Street through the Duckhorn Drive intersection be completed and accepted by the City or surety be posted to ensure that the water main is completed by March 1, 2013 as proposed by the applicant.

Sewer: As noted above, the City adopted the Infrastructure Design Criteria Manual in March of 2012. The applicant has submitted a Sewer Design Report that, in part, does not comply with the Infrastructure Design Criteria Manual. As such, staff recommends that upon submittal of a Development Engineering Plan application, the Sanitary Sewer Design Report be revised to comply with the requirements set forth in Section 3.12 of the Infrastructure Design Criteria Manual demonstrating that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity. In addition, the Design Report must include design information as required in Table 3-3 of the Infrastructure Design Criteria Manual and must accommodate for the future sanitary sewer flows from any upstream development. The design flows must be based on criteria in the Infrastructure Design Criteria Manual. The Design Report must also be signed and sealed by a Professional Engineer.

Drainage: The most recent copy of the Elks Crossing Drainage Report referred to in the Preliminary Design memo is dated December 17, 2008. Reports expire after two years, requiring that they be updated to address any conditions that may have changed since the report was completed. Staff recommends that upon submittal of a Development Engineering Plan application, the Elks Crossing Drainage Report dated December 17, 2008 be updated to address any changes that may have changed since the report was completed. If conditions have not changed to warrant a revision to the report, than a statement must be added to the report stating that conditions have not changed. In addition, the report must be signed and sealed by a Professional Engineer and the date on the report must be revised accordingly.

The construction plans identify that a drainage channel will be constructed along the rear lot line(s) of Lots 1 thru 15 of Block 8 within a 20 foot wide Major Drainage Easement. More specifically, the construction plans show a ten foot wide easement located on Lots 1 thru 15 and a ten foot wide easement located on the adjacent unplatted balance. Upon submittal of a Development Engineering Plan application, hydraulic design information for the drainage channel must be submitted for review and approval. In particular, the hydraulic design information must confirm that the 100 year storm is contained within the proposed 20 foot wide Major Drainage Easement;

The plat document does not show a Major Drainage Easement along the rear lot lines of Lots 1 thru 15 or on the adjacent unplatted balance as shown on the construction plans. Since half of the easement is located on the unplatted balance and outside the boundaries of the plat, staff recommends that the 20 foot wide Major Drainage Easement be secured as a miscellaneous document. In addition, a copy of the recorded document must be

submitted with the Development Engineering Plan application. Staff also recommends that prior to submittal of a Final Plat application, a Maintenance Agreement be submitted for review and approval securing maintenance of the proposed Major Drainage Easement. Upon approval, the document must be recorded at the Register of Deed's Office and a copy of the recorded document must be submitted with the Final Plat application.

Staff has voiced concern to the applicant with the design of rear lot line drainage channels due to the limitation imposed upon future property owners within the area of the Major Drainage Easement. In particular, no structures including fences, buildings, playground equipment, etc. are allowed within this area. Staff has received complaints from property owners in other developments that have been constructed with rear lot line drainage channels due to these limitations. The most common complaint is from the property owner that would like to construct a fence around the back yard in order to have pets or to ensure a safe play area for children or for privacy and that, due to the Major Drainage Easement; the fence must be located ten feet from the rear lot line. The area of the Major Drainage Easement becomes isolated from the balance of the lot and maintenance becomes an issue. As noted above, a Maintenance Agreement must be secured to ensure continued maintenance of the Major Drainage Easement but this can become a policing issue. However, since the drainage channel is meeting the City's design criteria, it is an acceptable drainage plan for the development.

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.