

STAFF REPORT  
March 21, 2013

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**No. 13PL015 - Preliminary Subdivision Plan**

**ITEM 4**

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GENERAL INFORMATION:

APPLICANT	Walgar Development Corp.
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Walgar Development Corporation
REQUEST	<b>No. 13PL015 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	A portion of Tract A of Robbinsdale Addition No. 10, located in the E1/2 of the NE1/4 of the SE1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 1 and 2 of Block 3 of Minnesota Park Subdivision
PARCEL ACREAGE	Approximately 1.54 acres
LOCATION	South of East Minnesota Street and east of Maple Avenue
EXISTING ZONING	Medium Density Residential District (Planned Development Designation)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Medium Residential District (Final Planned Development)
South:	Public District
East:	Medium Residential District (Final Planned Development)
West:	Medium Residential District (Final Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	February 13, 2013
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if

STAFF REPORT  
March 21, 2013

---

**No. 13PL015 - Preliminary Subdivision Plan**

**ITEM 4**

---

- subdivision improvements are required;
2. Upon submittal of a Development Engineering Plan application, a grading plan shall be submitted for review and approval if subdivision improvements are required or site grading is proposed;
  3. Upon submittal of a Development Engineering Plan application, a drainage plan shall be submitted for review and approval demonstrating that the existing channel and proposed channel improvements fit within the South Robbinsdale Drainage Basin Plan. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. The drainage plan shall also confirm that the existing channel on the south side of the development has adequate capacity to handle the 100 year storm. A drainage easement for the 100 year storm through the drainage channel, wide enough to effectively maintain the drainage channel, shall be dedicated as needed. The drainage report shall also address what channel improvements will be made to aid in maintenance of the channel. In addition, the proposed improvements shall be included within the submitted drawings. If on-site detention is required, then design calculations and details for the detention shall be submitted for review and approval;
  4. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required;
  5. Upon submittal of a Development Engineering Plan application, a fire flow analysis per the requirements of the Infrastructure Design Criteria Manual shall be submitted for review and approval to confirm adequate fire flow is available;
  6. Upon submittal of a Development Engineering Plan application, anticipated sanitary sewer flow estimates shall be submitted for review and approval;
  7. 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 as required by the Infrastructure Design Criteria Manual;
  8. Prior to submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide pedestrian access and utility easement along Minnesota Street as per approved Design Exception #13EX024;
  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 to create two lots. The lots are to be known as Lots 1 and 2 of Block 3, Minnesota Park Subdivision. The proposed lots will be sized 0.543 acres and 0.997 acres, respectively.

STAFF REPORT  
March 21, 2013

---

**No. 13PL015 - Preliminary Subdivision Plan**

**ITEM 4**

---

On March 4, 2012 the City Council approved a Preliminary Subdivision Plan to create 4 lots, leaving a non-transferable balance. This plat includes the non-transferable balance which will allow the future transfer of the property upon Final Plat approval.

The property is located south of East Minnesota Street and east of Maple Avenue. 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 zoned Medium Density Residential District with a Planned Development Designation. The applicant should be aware that prior to issuance of a building permit, an Initial and/or Final Planned Development Overlay must be submitted for review and approval.

The applicant has submitted a site layout showing the future construction of an 11 unit apartment complex within two structures. Staff has identified redline comments that must be addressed prior to submittal of an Initial and/or Final Planned Development Overlay. In addition, staff has noted that the proposed parking plan is not in compliance with the City's Parking Regulations. Specifically, the parking design is not in compliance with ADA regulations. The applicant should also be aware that since the apartment development is to be located on two of the proposed lots, a developmental lot agreement must be entered into to allow shared parking or a parking agreement must be secured as a part of the Planned Development review and approval.

**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. Minnesota Street is currently located within an 80 foot wide right-of-way and has been constructed to minor arterial street standards. In lieu of dedicating 10 additional feet of right-of-way, the applicant requested a Design Exception (File #13EX024) to waive the requirement. Staff has reviewed and approved the Exception with the stipulation that prior to submittal of a Final Plat application, the plat document be revised to show a ten foot wide pedestrian access and utility easement along Minnesota Street as it abuts the property.

**Water:** The property is located within the Palo Verde Water pressure zone. A 12 inch water main exists within the Minnesota Street right-of-way as it abuts the property. Upon submittal of a Development Engineering Plan application, a fire flow analysis per the requirements of the Infrastructure Design Criteria Manual must be submitted for review and approval to

STAFF REPORT  
March 21, 2013

---

**No. 13PL015 - Preliminary Subdivision Plan**

**ITEM 4**

---

confirm adequate fire flow is available.

Sewer: A ten inch sanitary sewer main exists within the Minnesota Street right-of-way as it abuts the property. Upon submittal of a Development Engineering Plan application, anticipated sanitary sewer flow estimates in conformance with Section 3.12.2 of the Infrastructure Design Criteria Manual must be submitted for review and approval, unless other data is available. The applicant should also be aware that at the time of a building permit, any existing sanitary sewer service stubs that will not be used must be abandoned per City standards.

Drainage/Grading: The property is located within the South Robbinsdale Drainage Basin. As part of the Development Engineering Plan application, a drainage plan must be submitted for review and approval demonstrating that the existing channel and proposed channel improvements fit within the drainage basin plan. In addition, the drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. The submitted plans indicate that storm water quality treatment will be provided at the time of development of the sites. The drainage plan must confirm that the existing channel on the south side of the development has adequate capacity to handle the 100 year storm. A drainage easement for the 100 year storm through the drainage channel, wide enough to effectively maintain the drainage channel, must be dedicated. The existing channel is identified as Flow Element 21 in the South Robbinsdale Drainage Basin Plan and includes improvement recommendations for the channel including a 15 foot bottom, 4:1 side slopes, longitudinal slope of 0.005 ft/ft/ and an n value of 0.040. The drainage report must address what channel improvements will be made to aid in maintenance of the channel. In addition, the proposed improvements must be included within the submitted drawings. If on-site detention is required, then design calculations and details for the detention must be submitted for review and approval.

Staff recommends that upon submittal of the Development Engineering Plan application, a drainage plan as noted above be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary.

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 if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

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

STAFF REPORT  
March 21, 2013

---

**No. 13PL015 - Preliminary Subdivision Plan**

**ITEM 4**

---

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.