

STAFF REPORT
May 9, 2013

No. 13PL035 - Preliminary Subdivision Plan

ITEM 4

GENERAL INFORMATION:

APPLICANT	Pat Tlustos and Mike Tennyson - PLM Development, LLC
AGENT	Fisk Land Surveying & Consulting Engineers, Inc.
PROPERTY OWNER	PLM Development, LLC
REQUEST	No. 13PL035 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Portions of the SE1/4 of the NW1/4 of Section 4, T1N, R8E and Lot 16 of Block 1 of PLM Subdivision, all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 36 through 53 of Block 1 of PLM Subdivision and Easement for Sanitary Sewer
PARCEL ACREAGE	Approximately 13.17 acres
LOCATION	At the current terminus of Conestoga Court
EXISTING ZONING	Low Density Residential (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential (Planned Development Designation)
South:	Low Density Residential (Planned Development)
East:	Low Density Residential (Planned Development)
West:	Low Density Residential (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	April 12, 2013
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

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

1. 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

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- 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 shall contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
2. Upon submittal of a Development Engineering Plan application, a design report demonstrating that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development shall be submitted for review and approval or an Exception shall be obtained. The design report shall be in conformance with the Infrastructure Design Criteria Manual and signed and sealed by a Professional Engineer. In addition, the construction plans shall be revised to provide a looped water main connection as per Section 3.9.7 of the Infrastructure Design Criteria Manual or an Exception shall be obtained. If Exception(s) are obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 3. Upon submittal of a Development Engineering Plan application, a design report demonstrating that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity or an Exception shall be obtained. The design report shall be in conformance with the Infrastructure Design Criteria Manual and signed and sealed by a Professional Engineer. 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 drainage plan shall be submitted for review and approval confirming that the proposed development complies with the South Robbinsdale Drainage Basin Plan or an Exception shall be obtained. If the proposed improvements exceed the anticipated impervious area, detention shall be provided. The drainage plan shall confirm that downstream improvements have been constructed that are needed to support the additional impervious area. If downstream improvements are needed and not constructed, then improvements shall be made. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. Drainage easements shall also be secured as needed;
 5. Upon submittal of a Development Engineering Plan application, confirmation shall be submitted identifying that storm water quality treatment for the proposed development has been provided or storm water quality treatment as per Chapter 8.48 of the Rapid City Municipal Code shall be provided 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;
 6. Upon submittal of a Development Engineering Plan application, an updated geotechnical report or an addendum to the report shall be submitted for review and approval to confirm that conditions have not changed to warrant a change in the geotechnical recommendation for the report issued in 2009 and that the geotechnical recommendations conform to current design standards 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;
 7. 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 or an Exception shall be obtained. If an Exception is obtained, a copy of the approved

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- Exception shall be submitted with the Development Engineering Plan application;
8. Upon submittal of a Development Engineering Plan application, construction plans for Conestoga Court shall be submitted for review and approval. In particular, the construction plans shall show the street located within a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide pavement, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. In addition, the cul-de-sac bulb shall be located within a minimum 118 foot diameter right-of-way and constructed with a minimum 96 foot diameter paved surface. An intermediate turnaround is needed at 600 feet or an Exception shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted for review and approval;
 9. Prior to submittal of a Development Engineering Plan application, a Covenant Agreement shall be secured requiring residential fire sprinkler systems be installed in all residential buildings accessing from the cul-de-sac street and a copy of the recorded agreement shall be submitted with the Development Engineering Plan application or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Plan application;
 10. Prior to submittal of a Development Engineering Plan application, the plat title shall be revised to read Section 24, R7E in lieu of Section 4, R8E;
 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. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
 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 18 residential lots. The lots area to be known as Lots 36 through 53, Block 1, of PLM Subdivision and range in size from 0.28 acres to 4.27 acres.

On June 21, 2010, the City Council approved a Preliminary Plat (File #09PL047) to create 18 residential lots as shown on this Preliminary Subdivision Plan application. However, the subdivision improvements were not started and/or completed and, subsequently, the Preliminary Plat expired two years from the date of approval.

On February 18, 2010, the Planning Commission approved an Initial and Final Planned Residential Development application (File #09PD032) to allow a single family residential development to be constructed on the proposed 18 lot residential subdivision. However, the use was not undertaken and completed within two years of the date of approval. Subsequently, the approved Planned Residential Development for the property expired. The applicant should be aware that an Initial and/or Final Planned Development Overlay must be submitted for review and approval by the Planning Commission prior to the issuance of a building permit.

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The property is located at the eastern terminus of Conestoga Court and is currently 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:

Conestoga Court: Conestoga Court is an approximate 900 foot long cul-de-sac street and is classified as a local street as per the Infrastructure Design Criteria Manual. Upon submittal of a Development Engineering Plan application, construction plans for Conestoga Court must be submitted for review and approval showing the street located within a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide pavement, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception must be obtained. In addition, the cul-de-sac bulb must be located within a minimum 118 foot diameter right-of-way and constructed with a minimum 96 foot diameter paved surface. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Section 2.13.2 of the Infrastructure Design Criteria Manual states that an intermediate turnaround must be provided along a cul-de-sac street at intervals not exceeding 600 feet. As such, upon submittal of a Development Engineering Plan application, the construction plans for Conestoga Court must include an intermediate turnaround at 600 feet or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted for review and approval.

Fire Hazard Area: Section 2.13.3 of the Infrastructure Design Criteria Manual states that if the length of a cul-de-sac within a residential moderate, high or extreme fire hazard area exceeds 600 feet in length, a project covenants must be placed on any development requiring residential fire sprinkler systems be installed in all buildings accessing from the cul-de-sac roadway. The Rapid City Fire Department has indicated that the property is located within a high fire hazard area. In addition, Conestoga Court is an approximate 900 foot long cul-de-sac street and serves as access to a proposed residential development. As such, prior to submittal of a Development Engineering Plan application, a covenant agreement must be secured pursuant to Section 2.13.3 of the Infrastructure Design Criteria Manual and a copy of the recorded agreement must be submitted with the Development Engineering Plan application or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Plan application. The applicant should also be aware that as a part of the Planned Development submittal for the property, a fire mitigation plan must be developed and executed in accordance with the Rapid City Fire Department Survivable Space Initiative.

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Drainage: The property is located within the South Robbinsdale Drainage Basin. Upon submittal of a Development Engineering Plan application, a drainage plan must be submitted for review and approval confirming that the proposed development complies with the South Robbinsdale Drainage Basin Plan or an Exception must be obtained. If the proposed improvements exceed the anticipated impervious area, detention must be provided. The drainage plan must confirm that downstream improvements have been constructed that are needed to support the additional impervious area. If downstream improvements are needed and not constructed, then improvements must be made. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application. Drainage easements must also be secured as needed.

Upon submittal of a Development Engineering Plan application, the applicant must confirm that storm water quality treatment for the proposed development has been provided, or provide storm water quality treatment as per Chapter 8.48 of the Rapid City Municipal Code 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.

Grading: The geotechnical report submitted with the previously approved Preliminary Plat (File #09PL047) recommended 5 inches of asphalt over 4 inches of base course. Section 2.14.4 of the Infrastructure Design criteria Manual requires a minimum of 5 inches of asphalt over 6 inches of base course unless a complete geotechnical investigation and pavement design is completed which recommends a lesser base course. As such, upon submittal of a Development Engineering Plan application, an updated geotechnical report or an addendum to the report must be submitted for review and approval to confirm that conditions have not changed to warrant a change in the geotechnical recommendation for the report issued in 2009 and that the geotechnical recommendations conform to current design standards 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.

Water: The property is located within the City's Terracita Water Pressure Zone. The fire flow analysis for the previously submitted Preliminary Plat (File #09PL047) indicated that a fire flow of 1,500 gpm was available to the development. Based on the proposed lot size(s), it appears that structures over 3,600 gross square feet could be supported. If structures over 3,600 gross square feet are proposed, the water modeling must be completed using a fire flow event of 1,750 gpm as required by the 2003 International Fire Code (IFC). A reduction in fire flow is allowed when an approved fire sprinkler system is installed as allowed by the IFC. Please note that improvements to the Terracita Pressure Zone have occurred since the original modeling was performed, which should improve the available fire flow.

Upon submittal of a Development Engineering Plan application, a design report demonstrating that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development must be submitted for review and approval or an Exception must be obtained. The design report must be in conformance with the Infrastructure Design Criteria Manual and signed and sealed by a Professional Engineer. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

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Section 3.9.7 of the Infrastructure Design Criteria Manual requires that a looped water main connection be obtained within a cul-de-sac greater than 600 feet. As previously noted, the proposed cul-de-sac is approximately 900 feet in length. Upon submittal of a Development Engineering Plan application, the construction plans must be revised to provide a looped water main connection as required 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.

Sewer: Upon submittal of a Development Engineering Plan application, a design report demonstrating that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity must be submitted for review and approval or an Exception must be obtained. The design report must be in conformance with the Infrastructure Design Criteria Manual and signed and sealed by a Professional Engineer. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

The proposed sanitary sewer easement located across Lot 16 and Lot 45 of Block 1 of PLM Subdivision must be provided pursuant to Section 3.5.2 of the Infrastructure Design Criteria Manual.

The sanitary sewer design submitted for the previously approved Preliminary Plat (File #09PL047) included multiple drop manholes through the proposed sanitary sewer easement. If drop manholes are still proposed an Exception must be obtained as per Section 3.12.10 of the Infrastructure Design Criteria Manual. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

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. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

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 approval of the Development Engineering Plan application, 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

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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.