

STAFF REPORT
January 9, 2014

No. 13PL138 - Preliminary Subdivision Plan

ITEM 16

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
AGENT	Dream Design International, Inc.
PROPERTY OWNER	Yasmeen Dream LLC
REQUEST	No. 13PL138 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	That part of the N1/2 of the SW1/4 of the NE1/4, less Stekl Subdivision, less Orchard Meadows, less railroad right-of-way, less Lot H1 and H2; the S1/2 of the SW1/4 of the NE1/4 less Lot H1; S1/2 of the SE1/4 of the NW1/4 of the SW1/4; and W1/2 of the SE1/4, less Tract A of the E1/2 of the SW1/4 and the W1/2 of the SE1/4, Section 9, T1N, R8E, less Lot H1 in the NE1/4 of the SW1/4 of Section 9, less Lot H1 in the S1/2 of the SE1/4 of the NW1/4 of Section 9, less Lot H2 in the SE1/4 of the SW1/4 of the NE1/4 of Section 9, less Lot 1 Wally Byam Addition and Lot 1, less Tract A and Tract B of Orchard Meadows, Wally Byam Addition, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Tracts D, E, F, G, H, I, J, K, and L, Tracts 1 and 2, Lots 1 thru 14 Of Block 1, Lots 1 thru 18 of Block 2, Lots 1 thru 35 of Block 3, Lots 1 thru 17 of Block 4, Lots 1 thru 31 of Block 5, Lots 1 thru 33 of Block 6 of Orchard Meadows
PARCEL ACREAGE	Approximately 97.73 acres
LOCATION	Southeast of the intersection of Elk Vale Road and South Dakota Highway 44
EXISTING ZONING	General Commercial District - General Agricultural District - Medium Density Residential District - Low Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING North:	General Commercial District (Planned Development Designation) - Suburban Residential District (Pennington

STAFF REPORT
January 9, 2014

No. 13PL138 - Preliminary Subdivision Plan

ITEM 16

South: County)
East: General Agricultural District (Planned Development)
West: Suburban Residential District (Pennington County)
General Agricultural District

PUBLIC UTILITIES Rapid Valley Sanitary District

DATE OF APPLICATION December 13, 2013

REVIEWED BY Vicki L. Fisher / Brandon Quiett

RECOMMENDATION:

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

1. Prior to submittal of a Development Engineering Plan application, redlined comments shall be addressed or an Exception to the Infrastructure Design Criteria Manual or the Standard Specifications, as applicable, shall be submitted for review and approval. The redlined comments and/or copies of the approved Exceptions shall be submitted with the Development Engineering Plan application;
2. Prior to approval of the Development Engineering Plan application, 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;
3. Prior to approval of a Development Engineering Plan application for any phase within the 100 year Federally designated floodplain, a Floodplain Development Permit shall be obtained. In addition, prior to vacation of the existing 75 foot wide drainage easement located on the property, all floodplain issues and/or map revisions shall be completed with the Federal Emergency Management Agency;
- 4.. Prior to platting more than 40 residential lots, the portion of Jim Street located outside of the City limits shall be improved as required by Pennington County Design Standards or an Exception shall be obtained;
5. Upon submittal of a Development Engineering Plan application for each phase, construction plans shall be in accordance with the executed "Agreement between Orchard Meadows, LLC and the Rapid Valley Sanitary District regarding Water and Sewer Service" and with the City of Rapid City and the Rapid Valley Sanitary District Master Plans. In addition, the construction plans shall be approved by Rapid Valley Sanitary District prior to approval by the City of Rapid City;
6. Upon submittal of a Development Engineering Plan application for any future phase, an easement corridor for the City's future sewer trunk main shall be identified. In addition, the easement shall be secured on the Final Plat for that phase.
7. Upon submittal of a Development Engineering Plan application for each phase of the development, the applicant shall demonstrate that the proposed phase is in accordance with the assumptions of the Traffic Impact Study for the entire property, or an amendment to the Traffic Impact Study shall be submitted for review and approval;

STAFF REPORT
January 9, 2014

No. 13PL138 - Preliminary Subdivision Plan

ITEM 16

8. Prior to approval of the Development Engineering Plan application for Phase Two, the construction plans shall be approved by the Murphy Ditch authority for the proposed siphon and road crossing within the ditch easement;
9. 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;
10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements for the proposed phase of development shall be submitted for review and approval;
11. Prior to submittal of a Final Plat application for Tracts 1 and 2, a stormwater facility ownership and maintenance agreement must be submitted. In addition, the approved agreement shall be submitted with the Final Plat application for recording;
12. 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,
13. 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 subdivide approximately 97 acres creating 148 lots and 10 larger tracts in four phases as a part of the Orchard Meadows Subdivision. On November 20, 2013, the City approved a Final Plat for Phase One of Orchard Meadows creating three commercial tracts.

The property is located southeast of the intersection of Elk Vale Road and South Dakota Highway 44. 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 Plat and has noted the following considerations:

Zoning: The property is currently zoned Low Density Residential District, Medium Residential District, General Agriculture District and General Commercial District. The applicant should be aware that the use proposed for each lot and/or tract must be allowed within the underlying zoning district or the property must be rezoned accordingly.

Phasing: As previously noted, the applicant is proposing to plat Phase Two thru Phase Five of Orchard Meadows as follows:

- Phase Two-24 lots and 3 larger tracts
- Phase Three-7 tracts
- Phase Four-57 lots
- Phase Five-67 lots

STAFF REPORT
January 9, 2014

No. 13PL138 - Preliminary Subdivision Plan

ITEM 16

The Master Plan for Orchard Meadows identifies Jim Street located east of the property and outside of the City limits as a second point of access to the property. The applicant should be aware that prior to platting more than 40 residential lots, the portion of Jim Street located outside of the City limits must be improved to a minimum 24 foot wide gravel surface pursuant to Pennington County Design Standards or an Exception must be obtained. The 24 foot wide gravel surface is the County's minimum street standard to facilitate emergency vehicles.

Drainage/Floodplain: A portion of the property is located within the 100 year Federally designated Floodplain. In addition, a 75 foot wide drainage easement is currently located on a portion of the property. Prior to approval of a Development Engineering Plan application for any phase within the 100 year Federally designated floodplain, a Floodplain Development Permit must be obtained. In addition, prior to vacation of the existing 75 foot wide drainage easement located on the property, all floodplain issues and/or map revisions must be completed with the Federal Emergency Management Agency.

Construction Plans: The applicant has submitted preliminary construction plans for review. Prior to submittal of a Development Engineering Plan application, redlined comments must be addressed or an Exception to the Infrastructure Design Criteria Manual or the Standard Specifications, as applicable, must be submitted for review and approval. The redlined comments and/or copies of the approved Exceptions must be submitted with the Development Engineering Plan application.

Utilities: The property is served by Rapid Valley Sanitary District. The applicant entered into an agreement with Rapid Valley Sanitary District regarding water and sewer service as a part of the Final Plat approval for Phase One of Orchard Meadows which applies to the entire proposed development. As such, upon submittal of a Development Engineering Plan application for each phase, the construction plans must be in accordance with the executed "Agreement between Orchard Meadows, LLC and the Rapid Valley Sanitary District regarding Water and Sewer Service" and with the City of Rapid City and the Rapid Valley Sanitary District Master Plans. In addition, the construction plans must be approved by Rapid Valley Sanitary District prior to approval by the City of Rapid City.

The City's Utility Plan for this area identifies a future sewer trunk main extending through the property. The applicant has stated that the proposed location will be along a drainage way on the eastern side of the property. Upon submittal of a Development Engineering Plan application for any future phase, an easement corridor for the City's future sewer trunk main must be identified. In addition, the easement must be secured on the Final Plat for that phase.

Traffic Operations Evaluation: A Traffic Impact Study was submitted with Phase One of Orchard Meadows that included the Master Plan for the proposed development. Upon submittal of a Development Engineering Plan application for each phase of the development, the applicant must demonstrate that the proposed phase is in accordance with the assumptions of the Traffic Impact Study for the entire property, or an amendment to the Traffic Impact Study must be submitted for review and approval.

STAFF REPORT
January 9, 2014

No. 13PL138 - Preliminary Subdivision Plan

ITEM 16

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.