

STAFF REPORT
February 20, 2014

No. 13PL139 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT	Scott Engmann - Black Hills Habitat for Humanity
AGENT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Garfield School, LLC
REQUEST	No. 13PL139 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Block 76 of North Rapid Addition #2, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.41 acres
LOCATION	925 Dilger Avenue
EXISTING ZONING	Public District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	December 27, 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, the preliminary construction plans and Engineer's Report shall be revised to address redline comments or an Exception to the Infrastructure Design Criteria Manual and/or the Standard Specifications shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application. In addition, the redlined comments shall be returned with the revised construction plans;
2. Prior to submittal of a Development Engineering Plan application, the applicant shall verify that the alley has been designed to meet 15 mph design speed or an Exception

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- shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
3. Prior to submittal of a Development Engineering Plan application, the construction plans shall be revised to show an ADA sidewalk ramp located in the Dilger Avenue right-of-way adjacent to proposed Lot 4 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;
 4. Upon submittal of a Development Engineering Plan application, water plans and a revised design report analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, utility easements shall be secured as needed;
 5. Upon submittal of a Development Engineering Plan application, sewer plans and a revised design report prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, utility easements shall be secured as needed;
 6. Upon submittal of a Development Engineering Plan application, construction plans for Custer Street shall be submitted for review and approval showing the installation of an 8 inch sewer main and an 8 inch water main 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, construction plans for Van Buren Street shall be submitted for review and approval showing the installation of an 8 inch sewer main and an 8 inch water main 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;
 8. Upon submittal of a Development Engineering Plan application, construction plans for Dilger Avenue shall be submitted for review and approval showing the installation of an 8 inch sewer main and upsizing the existing 6 inch water main to an 8 inch water main 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;
 9. Upon submittal of a Development Engineering Plan application, construction plans for N. 7th Street shall be submitted for review and approval showing the installation of an 8 inch sewer main and upsizing the existing 6 inch water main to an 8 inch water main 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;
 10. Upon submittal of a Development Engineering Plan application, geotechnical analysis signed and stamped by a Professional Engineer for public improvements shall be submitted for review and approval. In addition, geotechnical analysis shall be submitted for pavement design or the minimum required pavement section as per the Infrastructure Design Criteria Manual shall be provided;
 11. 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;
 12. Upon submittal of a Development Engineering Plan application, a final stormwater report, providing sizing of major drainage easements, shall be submitted for review and approval. The stormwater report shall demonstrate no inter-basin transfer between the

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- Morningside Drainage Basin and the Haines Avenue Drainage Basin 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;
13. 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. The utility plans shall also be reviewed and approved by the South Dakota Department of Environment and Natural Resources. The private utility layout plan shall also be submitted to the respective utility companies. All final engineering reports shall be signed and sealed by a Professional Engineer;
 14. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
 15. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
 16. 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,
 17. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to subdivide 2.41 acres creating five lots. The lots range in size from 0.31 acres to 0.84 acres and are to be known as Lots 1 through 5, Block 76, North Rapid Addition #2. The Preliminary Subdivision Plan identifies that Lots 1 through 4 will eventually be replatted into 12 townhome lots and that Lot 5 will remain a large multi-family lot. Since the phasing plan included in this application identifies the future townhome lots, another Preliminary Subdivision Plan application is not required upon the future replatting of the property to create the townhome lots.

The applicant has also submitted an Initial Planned Development Overlay application (File #13PD057) to develop the property with 12 townhome units on proposed Lots 1 through 4 and a maximum 13 unit apartment building on proposed Lot 5.

On January 6, 2014, the City Council approved a Rezoning request (File #13RZ028) to change the zoning designation of the property from Public District to Medium Density Residential District. In addition, on December 16, 2013, the City Council approved an Amendment to the Comprehensive Plan (File #13CA016) to change the future land use designation of the property from Public to Residential.

The property is located between Custer Street and Van Buren Street and is bordered along the west by North 7th Street and along the east by Dilger Avenue. Currently, the former Garfield Elementary School is located on proposed Lot 5.

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

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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: As previously noted, the property is zoned Medium Density Residential District and an Initial Planned Development Overlay application has been submitted for review and approval to allow the proposed townhome and apartment development. The applicant should be aware that prior to issuance of a building permit, a Final Planned Development Overlay must be reviewed and approved by the Planning Commission.

Streets: The property is bordered by Custer Street to the north, Dilger Avenue to the east, Van Buren Street to the south and North 7th Street to the west. All of the streets are classified as local streets as per the Infrastructure Design Criteria Manual requiring that they be located within a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, 8 inch sewer main, 8 inch water main, curb, gutter, sidewalk with ADA ramps, and street light conduit. The existing streets meet the design standards for a local street with the exception of ADA ramps and the absence of sewer mains along all four streets, water mains along Custer Street and Van Buren Street and 6 inch water mains instead of 8 inch water mains along North 7th Street and Dilger Avenue. Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval showing the installation and/or upsizing of water and sewer mains as identified or an Exception must be obtained to waive the requirement. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

The applicant has submitted a preliminary site plan showing that ADA sidewalk ramps will be provided along all four streets with the exception of the ramp located in Dilger Avenue adjacent to proposed Lot 4. As such, prior to submittal of a Development Engineering Plan application, construction plans must be submitted showing the ADA sidewalk ramp 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.

Alley: The applicant's site plan identifies an alley being constructed through the property to serve as access to proposed future carports located on the proposed townhome lots and to provide access to a parking lot to the proposed apartment building. The preliminary site plan identifies that the alley will be located within a 22 foot wide right-of-way and constructed with a 20 foot wide paved surface. This exceeds the minimum design standard of 20 foot right-of-way and 16 foot wide paved surface for an alley as per the Infrastructure Design Criteria Manual. However, the alignment of the alley is designed to avoid conflict with the existing structure located on proposed Lot 5. As such, prior to submittal of a Development Engineering Plan application, the applicant must verify that the alley has been designed to meet 15 mph design speed 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.

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Utilities: The applicant has submitted a preliminary utility plan showing the existing water mains located in North 7th Street and Dilger Avenue serving the proposed development. In addition, the preliminary utility plan shows the extension of a sewer main along the proposed alley. The applicant has also submitted a preliminary design report which includes a utility analysis. Staff has reviewed the preliminary information and has redlined the documents. Upon submittal of a Development Engineering Plan application, revised utility plans and design report(s) must be submitted for review and approval addressing the redline comments or Exception(s) must be obtained. If Exceptions are obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Drainage: The western portion of the property is located within the Morningside Drainage Basin and the Eastern portion is located within the Haines Avenue Drainage Basin. The applicant has submitted a preliminary stormwater report which staff has redlined. Upon submittal of a Development Engineering Plan application, a final stormwater report, providing sizing of major drainage easements, must be submitted for review and approval. The stormwater report must demonstrate no inter-basin transfer between the Morningside Drainage Basin and the Haines Avenue Drainage Basin 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.

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.

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.

Surety: Pursuant to City Council action, surety cannot be accepted from the applicant for subdivision improvements. As such, all subdivision improvements must be completed prior to submittal of a Final Plat application. In addition, subdivision inspection fees must be paid upon submittal of a Final Plat application.

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

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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.