

STAFF REPORT  
January 8, 2015

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**No. 14PL068 - Preliminary Subdivision Plan**

**ITEM 2**

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GENERAL INFORMATION:

APPLICANT	Vantage Properties, LLC
AGENT	Kale R. McNaboe - Sperlich Consulting, Inc.
PROPERTY OWNER	Vantage Properties, LLC
REQUEST	<b>No. 14PL068 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	A portion of the vacated alley adjacent to Lot 3 of the NW1/4 of the SW1/4, less Lot H1 of Section 32, a portion of Lot 3 of the NW1/4 of the SW1/4, less Lot H1 of Section 32, a portion of the NW1/4 of the SW1/4 of Section 32, and a portion of the NW1/4 of the SW1/4 and a portion of the NE1/4 of the SW1/4 of Section 32 all located in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 2 thru 5 of Vista Ridge Subdivision and Lots 6 and 7 of Block 1 and Lots 4 and 5 of Block 2 of Menard Subdivision
PARCEL ACREAGE	Approximately 18.7 acres
LOCATION	Southeast of East North Street and Century Road intersection
EXISTING ZONING	General Commercial District - General Agricultural District
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	General Commercial District
South:	Heavy Industrial District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	October 17, 2014
REVIEWED BY	Vicki L. Fisher / Bob Reiss

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RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, construction plans for North Creek Drive shall be submitted for review and approval showing the street located within a 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and parallel water mains 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;
2. Upon submittal of a Development Engineering Plan application, construction plans for Century Road shall be submitted for review and approval showing the street located within a 70 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water 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;
3. Upon submittal of a Development Engineering Plan application, construction plans for the proposed access easement located on proposed Lot 2 of Vista Ridge Subdivision shall be submitted for review and approval. In particular, the construction plans shall show the easement with a minimum width of 70 feet and constructed with a minimum pavement width of 26 feet, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, an approved copy shall be submitted with the Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The water plan and analysis shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, utility easements shall be secured as needed;
5. Upon submittal of a Development Engineering Plan application, sewer plans and a design report prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The sewer plan and design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity. In addition, utility easements shall be secured as needed;
6. Upon submittal of a Development Engineering Plan application, geotechnical analysis shall be submitted for the pavement design or the minimum required pavement section as per the Infrastructure Design Criteria Manual shall be provided;
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;
8. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Perrine Drainage Basin and signed by a Professional Engineer shall be submitted for review and approval. In addition, the existing storm water pond easement shall be expanded to include all of the required storm water retention plus all contoured side slopes of the pond;
9. 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

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- 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 and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual;
10. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
  11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  12. Separate Final Plat application(s) shall be submitted for Vista Ridge Subdivision and Menard Subdivision;
  13. Prior to submittal of a Final Plat application, the plat title shall be revised to include the alley vacation;
  14. 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,
  15. 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 Plat to create 7 lots. The lots are to be known as Lots 2 through 5 of Vista Ridge Subdivision and Lot 6 and 7 of Block 1, Lot 4 and 5 of Block 2, Menard Subdivision.

The applicant has also submitted a Rezoning request (File #14PR013) to change the zoning designation on a 9.21 acre portion of the property from General Agriculture District to Medium Density Residential District. In addition, the applicant has submitted a Rezoning request (File #14RZ014) to change the zoning designation on a 2.22 acre portion of the property from General Commercial District to Medium Density Residential District.

The property is located southeast of the East North Street and Century Road intersection. Currently, the property is void of any structural development.

**STAFF REVIEW:**

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

**Century Road:** Century Road is classified as a commercial street requiring that it be located within a minimum 70 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 proposed plat identifies Century Road with a 60 foot wide right-of-way. The applicant has requested an Exception to reduce the right-of-way width from 70 feet to 60 feet with a dedicated 5 foot wide access and utility easement along either side of the street. However, the Exception request has been denied by staff. As such, upon submittal of a Development Engineering Plan application, construction plans for Century Road must be submitted for review and approval showing the street located within a 70 foot wide right-of-way and constructed with a

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minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water 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.

13 Foot wide Access Easement: The plat identifies a 13 foot wide access easement along the northwest lot line of proposed Lot 2, Vista Ridge Subdivision. The previously approved Preliminary Subdivision Plan (File #14PL067) to create one commercial lot on the adjacent property identified a parallel 13 foot wide access easement. Together the two easements will create a 26 foot wide shared access easement. The easement(s) are classified as a commercial street requiring that the easement width be a minimum of 70 feet and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans must be submitted as identified 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.

North Creek Drive: The proposed plat identifies the extension of North Creek Drive through the property. North Creek Drive is classified as a minor arterial street on the City's Major Street Plan requiring that the street be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and parallel water mains. The plat identifies a proposed 80 foot wide right-of-way for North Creek Drive. The applicant has requested an Exception to reduce the right-of-way width from 100 feet to 80 feet with a dedicated 10 foot wide access and utility easement along either side of the street. However, the Exception request has been denied by staff. As such, upon submittal of a Development Engineering Plan application, construction plans for North Creek Drive must be submitted for review and approval showing the street located within a 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and parallel water mains 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.

Philadelphia Street: The Major Street Plan identifies the extension of Philadelphia Street, a collector street, along the south lot line of the property. A collector street must be located within a minimum 68 foot wide right-of-way and constructed with a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The applicant has requested an Exception to allow platting half of the right-of-way and to waive all street improvements. City staff has approved the Exception request with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements.

Alley Vacation: The plat identifies the vacation of an existing 16 foot wide alley. The applicant has submitted written documentation of concurrence from all of the affected utility companies. Prior to submittal of a Final Plat application, the plat title must be revised to include the alley vacation.

Water: The property is served by City water. Upon submittal of a Development Engineering Plan application, water plans prepared by a Registered Professional Engineer must be submitted for review and approval demonstrating that adequate fire and domestic flows are being provided. In addition, the plans must include design information as required pursuant

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to Section 3.9 of the Infrastructure Design Criteria Manual. Utility easements must be secured as needed.

Sewer: The property is also served by City sewer. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer must be submitted for review and approval. In particular, the sewer plans must be in conformance with the Infrastructure Design Criteria Manual and the design report must demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity. Utility easements must be secured as needed.

Drainage: The proposed development is located within the Perrine Drainage Basin. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Perrine Drainage Basin and signed by a Professional Engineer must be submitted for review and approval. In addition, upon submittal of a Development Engineering Plan application, the existing storm water pond easement must be expanded to include all of the required storm water retention plus all contoured side slopes of the pond.

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 and approval if subdivision improvements are required as a part of any future platting of the property.

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Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.