

STAFF REPORT  
March 9, 2023

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**No. 23PL008 - Preliminary Subdivision Plan**

**ITEM #8**

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GENERAL INFORMATION:

APPLICANT	Benedictine Convent of St Martins
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNER	Benedictine Convent of St Martins
REQUEST	<b>No. 23PL008 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	The NE¼ of the SW¼ less Lots H1, H2 and St. Martin Cemetery and all of the W½ of the SW¼ of Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1 of St. Martin Subdivision
PARCEL ACREAGE	Approximately 116.11 acres
LOCATION	1851 City Springs Road
EXISTING ZONING	General Agriculture District
FUTURE LAND USE DESIGNATION	Forest Conservation
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	Medium Density Residential District
West:	Agriculture (Pennington County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	February 3, 2023
REVIEWED BY	Tanner Halonen / Emily Fisher

RECOMMENDATION:

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

1. Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by Section 16.08.040 of the Rapid City Municipal Code;
2. Upon submittal of a Development Engineering Plan application, all information as per Chapter 16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;

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3. Upon submittal of a Development Engineering Plan application, the plat document shall identify additional right-of-way along the southeast corner of the lot as per Figure 2-1 of the Infrastructure Design Criteria Manual for a Collector Street, or the criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, the applicant shall either; submit construction plans for the section line highways for review and approval as per Figure 2-1 of the Infrastructure Design Criteria Manual for a Local Street, meet the criteria for obtaining an Exception, or vacate the section line highway. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
5. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval identifying sanitary sewer in City Springs Road or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
6. Upon the submittal of a Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per Chapter 1.15 of 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;
7. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
8. Prior to the approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded;
9. Prior to the approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
10. Prior to the approval of the Development Engineering Plan application, a Development Agreement must be entered into with the City for all public improvements;
11. Prior to the City's acceptance of public improvements, a warranty surety shall be submitted for review and approval as required; and,
12. Upon submittal of a Final Plat application, all necessary easements shall be shown on the plat document.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Subdivision Plan to consolidate two unplatted parcels into one lot. The proposed consolidation involves the property currently addressed as 1851 City Springs Road and the west adjacent parcel. The lot will be known as Lot 1 and will be approximately 116.11 acres in size.

The property currently addressed as 1851 City Springs Road contains a monastery and two accessory buildings and is located west of the intersection of City Springs Road and Grace Way. The west adjacent parcel 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

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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 subject properties are zoned General Agriculture District. This zoning district is intended to provide for land situated on the fringe of the urban area and requires that the existing land use provide an adequate lot area to accommodate the required setbacks and off-street parking requirements. The plat document submitted identifies that the proposed lot exceeds this minimum requirement.

The City's Comprehensive Plan identifies the Future Land Use of the property as Forest Conservation in which open lands preserved as part of private development is listed as a primary use. The application is in compliance with the City's Comprehensive Plan.

**City Springs Road:** The property is accessed by City Springs Road which is classified as a Collector Street on the City's Major Street Plan and requires that the street be located in a minimum 68-foot wide right-of-way and constructed with a 34-foot wide paved surface, curb, gutter, street light conduit, water, and sewer. Upon submittal of a Development Engineering Plan application, the plat document must identify additional right-of-way along the southeast corner of the lot as per Figure 2-1 of the Infrastructure Design Criteria Manual for a Collector Street, or the criteria for obtaining an Exception must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

There is no sanitary sewer in City Springs Road. Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval identifying sanitary sewer in City Springs Road or the criteria for obtaining an Exception must be met. If an Exception is obtained a copy of the approved document must be submitted with the Development Engineering Plan application.

**Section Line Highway:** Unimproved section line highways extend north to south along the western boundary of the property and east to west along the southern boundary. The section line highways are classified as Local Streets as per the Infrastructure Design Criteria Manual requiring that they be located in a minimum 52-foot wide right-of-way and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer, and water. Upon submittal of a Development Engineering Plan application, the applicant must either; submit construction plans for the section line highways for review and approval as per Figure 2-1 of the Infrastructure Design Criteria Manual for a Local Street, meet the criteria for obtaining an Exception, or vacate the section line highway. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

**Water/Sewer:** The proposed lots are located in the Pinedale Service Water Zone which serves elevations of 3,450 feet to 3,610 feet. A large portion of the proposed area is outside of the service boundary. There is no sanitary sewer in City Springs Road.

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Drainage: The proposed development is located in the South Canyon Drainage Basin as defined by the City. The development must provide for detention and water quality pursuant to Section 8.48 of the Rapid City Municipal Code. The report must address all discharge points for post versus pre-runoff volumes.

Development Agreement: Section 1.16.1 of the Infrastructure Design Criteria Manual states that a Development Agreement may be required for construction approval. A Development Agreement is a tool that 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 the approval of the Development Engineering Plan application, a Development Agreement must be entered into with the City for all public improvements.

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.