

STAFF REPORT  
October 5, 2017

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**No. 17PL098 - Preliminary Subdivision Plan**

**ITEM 5**

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GENERAL INFORMATION:

APPLICANT	Dakota Heartland, Inc.
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNER	Dakota Heartland Inc.
REQUEST	<b>No. 17PL098 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	The S1/2 of Government Lot 3 less Big Sky Business Park and less right-of-way; the S1/2 of Government Lot 4 less Big Sky Business Park, less Lot H1, H2 and right-of-way, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 2 and 3 of Block 5 and Lots 5 and 6 of Block 1 of Big Sky Business Park
PARCEL ACREAGE	Approximately 5.65 acres
LOCATION	North of Neel Street
EXISTING ZONING	Office Commercial District (Planned Development Designation) - General Commercial District (Planned Development Designation)
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	Office Commercial District (Planned Development Designation)
East:	Medium Density Residential District (Planned Development Designation)
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	September 8, 2017
REVIEWED BY	Vicki L. Fisher / Dan Kools

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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, the redline drawing comments and master plan comments shall be addressed. In addition, the redline drawing comments shall be returned with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, construction plans for Neel Street shall be submitted for review and approval showing the street located within a minimum 68 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface with no on-street parking signs, curb, gutter, sidewalk, street light conduit, water and sewer 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, 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 design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development;
4. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual;
5. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage plan shall demonstrate that stormwater is being detained to pre-developed/historic rates and provide stormwater quality. Drainage easements shall also be provided as needed;
6. Upon submittal of a Development Engineering Plan application, a geotechnical report including an analysis of soil corrosivity and pavement design for all proposed subdivision improvements shall be submitted for review and approval;
7. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. 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;
8. 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;
9. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
10. Upon submittal of a Final Plat application, documentation shall be submitted for review and approval identifying maintenance and ownership of all proposed drainage elements. In addition, a Major Drainage Easement shall be dedicated for all drainage improvements, including the two existing stormwater detention ponds;

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11. 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,
12. 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 create four lots, leaving an unplatted non-transferable balance. The Lots range in size from 1.19 acres to 1.35 acres and are a part of the Big Sky Business Park.

The property is located at the northern terminus of Neel Street, east of Elk Vale Road. 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 Subdivision Plan and has noted the following considerations:

**Zoning:** The eastern half of the property is currently zoned Office Commercial District with a Planned Development Designation and the western half of the property is zoned General Commercial District with a Planned Development Designation. The applicant should be aware that a Final Planned Development must be approved prior to issuance of a building permit for any future development of the property.

Currently, a 100 foot wide drainage easement is located along the north lot line of the property reducing the building envelopes located on Lot 6 of Block 1 and Lot 3 of Block 5. The easement also extends across the proposed Neel Street right-of-way. The applicant should be aware that future development of the property cannot encroach into the drainage easement. The preliminary grading information appears to support that the portion of the drainage easement located on Lot 3 of Block 5 and extending across Neel Street can be vacated. The applicant has the option of vacating the easement on the Final Plat document or by submitted a Vacation of Easement application.

**Neel Street:** The applicant's site plan shows the extension of Neel Street north from its current terminus to the north lot line of this property. The proposed street will serve as access to the four proposed lots. Neel Street is identified as a Collector Street on the City's Major Street Plan requiring that it be located within a minimum 68 foot wide right-of-way and constructed with a minimum 24 foot side paved surface with no on-street parking, curb, gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for Neel Street must be submitted for review and approval as identified or an Exception must be obtained. If an Exception is obtained, a copy of the

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approved Exception must be submitted with the Development Engineering Plan application.

Drainage: The proposed development is located primarily in the Race Track Drainage Basin. The Pennington County Drainage Commission has enacted a moratorium on increased drainage in this basin. As such, drainage must be detained to pre-development/historic rates. A small portion of the proposed development is located within the County Heights Drainage Basin. No inter-basin transfer of stormwater is allowed. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code must be submitted for review and approval for the proposed subdivision improvements. The drainage plan shall demonstrate that stormwater is being detained to pre-developed/historic rates and provide stormwater quality. In addition, the drainage plan must confirm no inter-basin transfer of stormwater. Drainage easements shall also be provided as needed.

Lots 5 and 6 of Block 1 are proposed to drain to an existing stormwater detention facility located west of the plat boundary, adjacent to Elk Vale Road. In addition, Lots 2 and 3 of Block 5 are proposed to drain to an existing stormwater detention facility located south of the plat boundary adjacent to Timmons Boulevard. The two outlet structures are proposed to be modified to accommodate this plat and future development. Upon submittal of a Final Plat application, documentation must be submitted for review and approval identifying maintenance and ownership of all proposed drainage elements. In addition, a Major Drainage Easement must be dedicated for all drainage improvements, including the two existing stormwater detention ponds.

Water: The proposed lots are located in the Low Level Water Zone which serves elevations of 3100 feet to 3300 feet. Static pressures in this development are approximately 55 psi. The applicant should be aware that pressure pumps may be needed for multi-story buildings. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report must demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, easements must be secured as needed.

Sewer: The applicant's utility plan shows the extension of a sanitary sewer main along Neel Street. The applicant should be aware that the main must be extended beyond the boundary of the plat. In addition, an easement must be secured for that portion of the sanitary sewer located outside of the proposed Neel Street right-of-way

Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval. The design report must demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity.

Stormwater Management Plan: The City Council has adopted a Stormwater Quality Manual and an Infrastructure Design Criteria Manual which provide criteria and technical guidance

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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 as 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 must be entered into with the City for all public improvements.

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