

STAFF REPORT  
October 24, 2019

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**No. 19PL085 - Preliminary Subdivision Plan**

**ITEM 2**

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GENERAL INFORMATION:

APPLICANT	Mike Mantle - Rupe Helmer Group
AGENT	Alan Betchan - AAB Engineering, LLC
PROPERTY OWNER	Kathy, Bret and Carla McBride
REQUEST	<b>No. 19PL085 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	A portion of the NW1/4 of the NE1/4 less McMahon Industrial Park Subdivision #2 and right-of-way; the SW1/4 of the NE1/4 less Lot H3 and less right-of-way located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1 of Block 1 of Dollar General Rapid City (One commercial lot)
PARCEL ACREAGE	Approximately 1.39 acres
LOCATION	East of Haines Avenue, north of Kathryn Avenue
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	General Agricultural District
South:	General Commercial District
East:	General Agricultural District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	September 27, 2019
REVIEWED BY	Vicki L. Fisher / Roger Olsen

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 comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application.

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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, 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. Upon submittal of a Development Engineering Plan application, a letter or water design report 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. In addition, easements shall be provided as needed;
4. Upon submittal of a Development Engineering Plan application, a letter or sewer design report prepared by a Registered Professional Engineer in accordance with 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. In addition, easements shall be provided as needed;
5. Upon submittal of a Development Engineering Plan application, construction plans for Haines Avenue shall be submitted for review and approval showing the dedication of four additional feet of right-of-way and the installation of sidewalk and a sewer main along the full frontage of Haines Avenue or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
6. Upon submittal of a Development Engineering Plan application, a drainage report and an erosion and sediment control plan shall be submitted for review and approval if subdivision improvements are required;
7. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
9. Prior to approval of the Development Engineering Plan application, the water and sewer plans shall be approved by the South Dakota Department of Environment and Natural Resources;
10. Prior to submittal of a Final Plat application, the plat title shall be revised to show the name of the subdivision as "Dollar General Subdivision" in lieu of "Dollar General Rapid City";
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.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Subdivision Plan to create a 1.39-acre lot, leaving a 66.32-acre unplatted balance. The lot is to be known as Lot 1, Block 1, Dollar General

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Rapid City.

The applicant has also submitted a Rezoning request (File #19RZ035) to rezone the subject property from General Agriculture District to General Commercial District. In addition, the applicant has submitted a site plan showing the future construction of a “Dollar General” store on the proposed lot.

The applicant had originally submitted a Preliminary Subdivision Plan (File #19PL047) and a Rezoning request (File #19RZ020) to create a 0.93-acre commercial lot. These applications were approved by City Council on July 1, 2019 and July 15, 2018, respectively. The applicant has submitted this revised Preliminary Subdivision Plan and associated Rezone application to expand the proposed lot size to 1.39 acres and to rezone the additional area to General Commercial District as previously noted.

The property is located approximately 300 feet north of the intersection of Haines Avenue and Kathryn Avenue, on the east side of Haines Avenue. The property 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 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 applicant has submitted a Rezoning request to change the zoning designation of the proposed 1.39-acre lot from General Agriculture District to General Commercial District. The applicant should be aware that the property must be rezoned as proposed prior to submittal of a building permit for a commercial use.

As previously noted, the applicant has submitted a site plan showing the future construction of a Dollar General store on the proposed lot. A preliminary review of the site plan identifies that the parking layout must be adjusted to provide a minimum 26-foot wide access aisle. In addition, a screening fence will be required along the north and east lot lines of the proposed lot. As a part of a building permit application, a complete parking plan with parking calculations, a landscape plan, a sign package and a lighting plan must be submitted for review and approval. Please note that approval of the Preliminary Subdivision Plan does not indicate approval of the associated site plan.

**Master Plan/Traffic Impact Study:** The applicant has submitted a Master Plan for the property, which includes the proposed lot and the 66.32-acre unplatted balance. The Master Plan identifies two additional commercial lots, 173-residential lots and 13.29-acres of green space and detention area as a “multi-phased” project. Pursuant to Section 2.17 of the Infrastructure Design Criteria Manual, the scope of the project requires that a Traffic Impact Study be submitted for review and approval. As such, upon submittal of a Preliminary Subdivision

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Plan for the next phase of the development, a Traffic Impact Study must be submitted for review and approval or the approval of an Exception is required. In addition, upon submittal of a Preliminary Subdivision Plan application for the residential lots, the applicant must demonstrate that the proposed lots meet land area regulations (lot size, lot width, etc.) pursuant to Chapter 17 of the Rapid City Municipal Code.

The City's Major Street Plan identifies a proposed collector street extending through the unplatted balance. The Master Plan shows the extension of a street in alignment with the collector street. The applicant should be aware that future development of this area will require that the collector street be constructed in compliance with the Infrastructure Design Criteria Manual, which includes a minimum 68-foot wide right-of-way. The Master Plan also identifies several residential streets to serve as access to the proposed residential lots. A street serving more than 12 lots is classified as a local street and a street serving no more than 12 lots is classified as a lane place street. The streets must be constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual. In addition, the cul-de sac bulbs must be constructed pursuant to Section 2.13 and Table 2-4 of the Infrastructure Design Criteria Manual.

Country Road is located along the north lot line of the unplatted balance and is classified as a principal arterial street on the City's Major Street Plan requiring that the street be located in a minimum 100-foot wide right-of-way. Upon submittal of a Preliminary Subdivision Plan application for the next phase of the development, the Master Plan must be revised to show Country Road along the north lot line and identify the dedication of additional right-of-way if needed.

Section 2.6 of the Infrastructure Design Criteria Manual states that "a street with a single access shall not be used for more than forty dwelling units. A second access shall be provided when more than forty (40) dwelling units are accessed from a street". The applicant's Master Plan identifies a street connection to Haines Avenue and a street connection to Country Road. The applicant should be aware that future platting must be phased to ensure that two points of access are provided when more than 40-residential lots are platted or an Exception is required from the City Council to allow more than 40-dwelling units with one point of access.

Haines Avenue: Haines Avenue is located along the west lot line of the property and is classified as a principal arterial street on the City's Major Street Plan requiring that it 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, water and sewer. Haines Avenue is currently located in an 88-foot wide right-of-way and constructed in compliance with the requirements for a principal arterial street with the exception of sewer and sidewalk. The applicant's site plan shows that a sidewalk will be provided along Haines Avenue as a part of the building permit application of the proposed General Dollar Store.

Upon submittal of a Development Engineering Plan application, construction plans for Haines Avenue must be submitted for review and approval showing the dedication of four additional feet of right-of-way and the installation of sidewalk and sewer along the full frontage of Haines Avenue or criteria for obtaining an Exception or Variance (sidewalk) must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

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Water: The property is located in the service boundary of Rapid City. Currently, a 12-inch water main is located in Haines Avenue right-of-way. Water service has not been shown for the proposed lot. Upon submittal of a Development Engineering Plan application, a letter or water design report prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual Section 3.9, including Table 3-1 and 3-2. 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. Easements must also be provided as needed.

Sewer: The property is located in the service boundary of Rapid City. However, a sewer main does not exist within the Haines Avenue right-of-way located adjacent to the proposed lot. Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval showing sewer service to the proposed lot. In addition, a letter or sewer design report prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual Section 3.9, including Table 3-1 and 3-2. The design report must 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. Easements must be provided as needed.

Drainage/Erosion and Sediment Control Plan: Upon submittal of a Development Engineering Plan application, a drainage report and an erosion and sediment control plan must be submitted for review and approval if subdivision improvements are required. Upon submittal of a building permit, a drainage report demonstrating storm water detention and water quality requirements are being met for the proposed on-site improvements must be submitted for review and approval. In addition, a plan sheet must be submitted for review and approval showing where the erosion and sediment control BMP's (Best Management Practices) are to be placed.

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.