GENERAL INFORMATION:

APPLICANT: Bill Freytag

PROPERTY OWNER: Melvin and Bobbi Geidel

REQUEST: No. 16PL041 - Preliminary Subdivision Plan

EXISTING LEGAL DESCRIPTION: S1/2 of the NE1/4 less Lot 1 of Blue Marlin Estates and less dedicated right-of-way, located in Section 20, T2N, R8E, BHM, Pennington County, South Dakota

PROPOSED LEGAL DESCRIPTION: Lot 1 of Block 1; Lots 1 thru 5 of Block 2; Lots 1 thru 6 of Block 3 of Dyess Ave. Industrial Park

PARCEL ACREAGE: Approximately 30 acres

LOCATION: South of Country Road and west of Dyess Avenue

EXISTING ZONING: General Agricultural District (Pennington County)

FUTURE LAND USE DESIGNATION: Urban Neighborhood

SURROUNDING ZONING:

North: General Agricultural District (Pennington County)

South: Low Density Residential District - Suburban Residential District (Pennington County)

East: Light Industrial District

West: General Agricultural District (Pennington County) - Limited Agricultural District (Pennington County)

PUBLIC UTILITIES: City sewer and water

DATE OF APPLICATION: April 29, 2016

REVIEWED BY: Vicki L. Fisher / Ted Johnson

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 redlined comments on the Preliminary Subdivision Plan Layout shall be addressed. In addition, the redlined comments shall be returned with the Development Engineering Plan application;

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 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;

3. Upon submittal of a Development Engineering Plan application, construction plans for Dyess Avenue shall be submitted for review and approval showing the street constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, a dual water main and the extension of the sewer main to the north lot line of the property or an Exception shall be obtained. The plat document shall also show the dedication of 17 additional feet of right-of-way for Dyess Avenue as it abuts the property or an Exception shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering application;

4. Upon submittal of a Development Engineering Plan application, construction plans for the northern east-west street shall be submitted for review and approval showing the street located within a minimum 60 foot wide right-of-way with 10 additional feet of right-of-way for the first 200 feet as it extends west from Dyess Avenue and constructed with a minimum 26 foot wide paved surface, 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 application;

5. Upon submittal of a Development Engineering Plan application, construction plans for the southern east-west street shall be submitted for review and approval showing the street located within a minimum 68 foot wide right-of-way with 10 additional feet of right-of-way for the first 200 feet as it extends west from Dyess Avenue and constructed with a minimum 24 foot wide paved surface with no on-street parking, 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 application;

6. 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;

7. Upon submittal of a Development Engineering Plan application, a sewer design report 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 sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual;

8. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer shall be submitted for review and approval. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, easements shall be provided as needed;

9. 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;
10. Prior to submittal of a Final Plat application, the property shall be annexed pursuant to Section 16.040.090 of the Rapid City Municipal Code;

11. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;

12. 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,

13. 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 improvements proposed outside of the dedicated right-of-way shall be secured within easement(s).

GENERAL COMMENTS:
The applicant has submitted a Preliminary Subdivision Plan application to subdivide a 69.52 acre parcel creating 12 industrial lots, leaving an unplatted balance. The lots range in size from 0.50 acres to 3.70 acres. The proposed lots are shown as Phase One of a three phase development which includes the balance of the property.

The property is located outside of the City limits of Rapid City, within the City’s platting jurisdiction. More specifically, the property is located approximately 1,750 feet south of the intersection of Country Road and Dyess Avenue on the west side of Dyess Avenue. 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:

Annexation: The north lot line of Phase One of the proposed development is located adjacent to the City limits of Rapid City. Pursuant to Chapter 16.040.090 of the Rapid City Municipal Code, the area of the subject property being platted must be annexed into the City prior to submittal of a Final Plat application. Upon annexation the property will be zoned No Use District and will be rezoned within 120 days after the effective date of the annexation.

Zoning: The property is currently zoned General Agriculture District by Pennington County. As noted above, prior to submittal of a Final Plat application, that portion of the property being platted must be annexed into the City. The City’s Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood which would not support industrial use(s). However, staff has met with the applicant and concurs that the existing industrial uses along this corridor of Dyess Avenue and that Dyess Avenue is a Minor Arterial Street as per the City’s adopted Major Street Plan supports industrial uses within Phase One as shown. The applicant should be aware that the property must be rezoned prior to the issuance of a building permit.
Master Plan: The applicant has submitted a Master Plan showing the property being platted in three phases as follows:

Phase One: 12 industrial lots as shown on this Preliminary Subdivision Plan;

Phase Two: Approximately 24 acres of multi-family development located directly west of Phase One; and,

Phase Three: Approximately 24 acres of single family and townhome development located directly west of Phase Two.

The applicant should be aware that portions of Phase Two and Three are located in the 100 year Federally designated Floodplain requiring that a Floodplain Development Permit be obtained prior to any construction within this area of the property. In addition, the Major Street Plan identifies a Minor Arterial Street along the west lot line of the property which must be addressed as a part of platting Phase Three of the development.

Dyess Avenue: Dyess Avenue is located along the east lot line of the property and is classified as a Minor Arterial Street on the City 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, sewer and dual water mains. Currently, Dyess Avenue is located in a 66 foot wide right-of-way and constructed with a 22 foot wide paved surface, a sewer main, with the exception of the northern 230 feet along Dyess Avenue as it abuts the property, and one water main. Upon submittal of a Development Engineering Plan application, construction plans for Dyess Avenue must be submitted for review and approval showing the street constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, a dual water main and the extension of the sewer main to the north lot line of the property or an Exception must be obtained. The plat document must also show the dedication of 17 additional feet of right-of-way for Dyess Avenue as it abuts the property or an Exception must be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) must be submitted with the Development Engineering application.

On May 16, 2016 the City Council approved a request to waive the requirement that a waiver of right to protest any future assessments (WORP) for the property be signed by the property owner. As such, any Exceptions granted for Dyess Avenue cannot include the requirement that a WORP be included in the approval.

Northern East-West Street: The proposed layout for Phase One shows two streets extending west from Dyess Avenue to serve as access to the proposed lots. The northern street is classified as an industrial street requiring that it be located in a minimum 60 foot wide right-of-way with 10 additional feet of right-of-way for the first 200 feet as it extends west from Dyess Avenue 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, the 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 application.
Southern East-West Street: The City’s Major Street Plan identifies a future collector street along the south lot line of the property. The applicant has met with Transportation staff and concur that the proposed location of the southern east-west street is an acceptable location for the collector street. As per the Infrastructure Design Criteria Manual, a collector street must be located in a minimum 68 foot wide right-of-way with 10 additional feet of right-of-way for the first 200 feet as it extends west from Dyess Avenue and constructed with a minimum 24 foot wide 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 the street 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 application.

Drainage: The City is currently working on completing the Boxelder Drainage Basin Plan that includes this area. Upon submittal of a Development Engineering Plan application, a drainage plan report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval. The drainage plan and report must address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, easements must be provided as needed.

Water: A City water main currently exists in Dyess Avenue right-of-way. The layout plan for Phase One identifies the extension of water mains along the two east-west streets. 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.

Sewer: A City sewer main currently exists in Dyess Avenue right-of-way with the exception of the northern 230 feet as it abuts the property. The layout plan for Phase One identifies the extension of sewer mains along the two east-west streets. Upon submittal of a Development Engineering Plan application, a sewer design report 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 sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity.

Oversize Items: Public Works staff has noted that a dry sewer main may be needed along the collector street to serve a planned trunk sewer main from Elk Vale Road. In addition, an oversized water main may be needed along the collector street. Please note that the installation of the dry sewer main and the oversized water main are eligible for oversize reimbursement.

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 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.