

STAFF REPORT  
February 18, 2021

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**No. 21PL006 - Preliminary Subdivison Plan**

**ITEM 7**

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GENERAL INFORMATION:

APPLICANT	BH Capital 4, LLC
AGENT	Renee Catron - KTM Design Solutions, Inc.
PROPERTY OWNER	BH Capital 4, LLC
REQUEST	<b>No. 21PL006 - Preliminary Subdivison Plan</b>
EXISTING LEGAL DESCRIPTION	A portion of the S1/2 of the NE1/4 less Menard Subdivision and less North Valley Park Subdivision, located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1R of Block 7 of North Valley Park Subdivison (One residential lot)
PARCEL ACREAGE	Approximately 24.67 acres
LOCATION	South of North Valley Drive
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	General Agricultural District - Light Industrial District
South:	Medium Density Residential District - Low Density Residential District-II
East:	General Agricultural District
West:	General Agricultural District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	January 21, 2021
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

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

1. Prior to submittal of a Development Engineering Plan application, a feasibility study confirming the adequacy of the proposed booster station needed to serve this area shall be reviewed and accepted by the City or a grading plan shall be submitted for review and

STAFF REPORT  
February 18, 2021

---

**No. 21PL006 - Preliminary Subdivision Plan**

**ITEM 7**

---

- approval showing that the development will be within the low-level elevation range (up to 3,300 feet) and a water report shall be submitted demonstrating adequate capacity can be provided by the low-level water main located in North Valley Drive;
2. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
  3. Upon submittal of the Development Engineering Plan application, construction plans shall be submitted for review and approval to provide water main looping of the high level water zone if the property is being served by the high level water zone;
  4. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
  5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  6. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. 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;
  7. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Environment and Natural Resources shall be secured;
  8. Prior to approval of the Development Engineering Plan application, adequate water capacity shall be available to the project including the installation and City acceptance of the proposed booster station needed to serve this area to meet capacity requirements if the property is served by the high level water zone;
  9. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded;
  10. Prior to submittal of a Final Plat application, the subject property shall be rezoned from General Agriculture District to Medium Density Residential District;
  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 one residential lot, leaving an unplatted balance. The lot will be sized 24.67 acres and will be known as Lot 1R, Block 7, Antelope View Estates.

The applicant has also submitted a Rezoning request (File #21RZ009) to change the zoning designation of the subject property from General Agriculture District to Medium Density Residential District.

STAFF REPORT  
February 18, 2021

---

**No. 21PL006 - Preliminary Subdivision Plan**

**ITEM 7**

---

The property is located at the southern terminus of N. Valley Drive. 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:** As previously noted, the applicant has submitted a Rezoning request (File #21RZ004) to change the zoning designation on a 2.74-acre portion of the subject property from General Agriculture District to Low Density Residential District 2. The balance of the property is currently zoned Low Density Residential District 2. The General Agriculture District requires a minimum lot size of 20 acres for a residential use. The proposed lots range in size from 8,675 square feet to 19,053 square feet and do not meet the minimum lot size of the General Agriculture District. As such, the portion of the subject property zoned General Agriculture District must be rezoned to Low Density Residential District 2 as proposed prior to submittal of a Final Plat application.

The City's Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood which supports a range of housing types. As such, the proposed development is in compliance with the City's Comprehensive Plan.

**N. Valley Drive:** N. Valley Drive is identified as a collector street on the City's Major Street Plan requiring that it be located in a minimum 68-foot wide right-of-way and constructed with a varying pavement width depending upon on-street parking requirements, curb, gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for the future collector street must be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or must meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

**Water:** The proposed lot is primarily located in the North Rapid Water Zone, the high level water zone, which serves elevations of 3,300 feet to 3,450 feet. The elevation of the proposed development is approximately 3,270 feet to 3,400 feet. The area is served by a single 12-inch water main in E. Philadelphia Street and has limited capacity to serve additional areas beyond what has already been approved. The existing 12-inch North Rapid main is a low level zone water main. The North Rapid Main is also a long dead-end main that requires looping back to E. Anamosa Street. 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

STAFF REPORT  
February 18, 2021

---

**No. 21PL006 - Preliminary Subdivision Plan**

**ITEM 7**

---

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, an Exception must be obtained to allow a dead-end main or the plans must be revised to provide looping of the North Rapid system in compliance with the Infrastructure Design Criteria Manual. Easements must also be provided as needed.

On January 19, 2021, the City Council approved a Tax Increment Finance project (20TI006) for this area which includes a booster station to provide capacity to the North Rapid Zone and a feasibility study to confirm the adequacy of the proposed booster station needed to serve this area. To ensure that adequate water will be available to serve this project, the feasibility study must be reviewed and accepted by the City prior to the submittal of a Development Engineering Plan application or a grading plan must be submitted for review and approval showing that the development will be within the low-level elevation range (up to 3,300 feet) and a water report must be submitted demonstrating adequate capacity can be provided by the low-level water main located in North Valley Drive. Prior to approval of the Development Engineering Plan application, adequate water capacity must be available to the project including the installation and City acceptance of the proposed booster station needed to serve this area if necessary to meet capacity requirements.

Sewer: The sewer main in N. Valley Drive, north of the subject property, was sized based on fewer dwelling units than what has currently been proposed with Antelope View Estates. Restrictions on development may be required if the sewer downstream is unable to handle the flow. 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 in conformance with the Infrastructure Design Criteria Manual. In addition, easements must be provided as needed.

Drainage: The property is located in the Box Elder Drainage Basin. A regional pond has been constructed downstream. Calculations showing that the development of this property is consistent with the assumptions from the regional pond design is required as part of a building permit, or on-site detention and water quality may be required.

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 addressing subdivision improvements. In addition, easements must be dedicated as needed.

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

STAFF REPORT  
February 18, 2021

---

**No. 21PL006 - Preliminary Subdivision Plan**

**ITEM 7**

---

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.

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