**No. 21PL091 - Preliminary Subdivision Plan**

### GENERAL INFORMATION:

<table>
<thead>
<tr>
<th><strong>APPLICANT</strong></th>
<th>Watershed II, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AGENT</strong></td>
<td>Renee Catron - KTM Design Solutions, Inc.</td>
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<tr>
<td><strong>PROPERTY OWNER</strong></td>
<td>Watershed Development, LLC</td>
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<tr>
<td><strong>REQUEST</strong></td>
<td>No. 21PL091 - Preliminary Subdivision Plan</td>
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<tr>
<td><strong>EXISTING LEGAL DESCRIPTION</strong></td>
<td>A portion of the E1/2 less the W1/2 of the SW1/4 of the NW1/4 of the NE1/4, less the NW1/4 of the NW1/4 of the SW1/4 of the NE1/4, less the E1/2 of the NE1/4 of the SW1/4 of the SE1/4, less the SE1/4 of the SE1/4 and less Highpointe Ranch Subdivision, located in Section 20, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota</td>
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<tr>
<td><strong>PROPOSED LEGAL DESCRIPTION</strong></td>
<td>Proposed Lots 1 thru 53 of Block 1, Lots 1 thru 66 of Block 2, Lots 1 thru 27 of Block 3, Lots 1 thru 9 and Common Lot of Block 4, 1A, 1B, 2A, 2B, 3, 4A, 4B, 5A, 5B, 6A, 6B, 7 thru 15 of Block 5, Lots 1 thru 4 of Block 6 of Highpointe Ranch North</td>
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<tr>
<td><strong>PARCEL ACREAGE</strong></td>
<td>Approximately 140.97 acres</td>
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<td><strong>LOCATION</strong></td>
<td>North of current terminus of Cloud Peak Drive</td>
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<tr>
<td><strong>EXISTING ZONING</strong></td>
<td>General Agricultural District (Pennington County)</td>
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<tr>
<td><strong>FUTURE LAND USE DESIGNATION</strong></td>
<td>Low Density Neighborhood</td>
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<tr>
<td><strong>SURROUNDING ZONING</strong></td>
<td>North: Park Forest District - Low Density Residential District South: General Agricultural District (Pennington County) East: Low Density Residential District West: General Agricultural District (Pennington County)</td>
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<tr>
<td><strong>PUBLIC UTILITIES</strong></td>
<td>City sewer and water</td>
</tr>
<tr>
<td><strong>DATE OF APPLICATION</strong></td>
<td>August 27, 2021</td>
</tr>
<tr>
<td><strong>REVIEWED BY</strong></td>
<td>Vicki L. Fisher / Emily Fisher</td>
</tr>
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</table>
RECOMMENDATION:
Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. Upon submittal of a Development Engineering Plan application, construction plans for Bernina Court, Kenya Court, Andean Court and Big Sky Court, lane place streets, shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. In addition, the cul-de-sac bulb(s) shall be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

2. Upon submittal of a Development Engineering Plan application, construction plans for Cloud Peak Drive, Kenai Lane and Kilimanjara Drive, local streets, shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. In addition, the cul-de-sac bulb(s) shall be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

3. Upon submittal of a Development Engineering Plan application, construction plans for Wind River Road, a collector street, shall be submitted for review and approval 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;

4. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval widening and restriping the eastbound approach on Sheridan Lake Road to include a dedicated 12-foot wide left turn lane within the existing center striped area. In addition, a minimum of 100 feet of storage, 100 feet of deceleration and a 120-foot taper length for the eastbound left turn lane shall be provided;

5. If a lift station is proposed, the lift station shall be approved per Section 3.13 of the infrastructure Design Criteria Manual “Regional Wastewater Facilities” prior to submittal of a Development Engineering Plan application;

6. Upon submittal of a Development Engineering Plan application, the proposed “Pond” area shall be included in the boundary of the plat and identified as a Drainage Lot or Greenway Lot or secured as a Drainage Easement and filed at the Register of Deed’s Office as a miscellaneous document. In addition, the phasing plan for the construction of the proposed pond shall be identified;

7. Upon submittal of a Development Engineering Plan application, a minimum 30-foot wide utility corridor shall be provided to the west lot line for sewer/force main and water and a minimum 20-foot wide utility corridor shall be provided to the east lot line for water;

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

9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;

10. 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, 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;
11. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
12. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded;
13. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property. In addition, a copy of the approved plan shall be submitted with the Final Plat application;
14. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable;
15. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provision are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative;
16. Prior to submittal of a Final Plat application, an alternate street name for Big Sky Court shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the approved street names shall be shown on the plat document;
17. Prior to submittal of a Final Plat application, the property shall be rezoned from No Use District to Low Density Residential District II;
18. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed Common Lot and any proposed drainage elements. In addition, a Major Drainage easement shall be dedicated for all drainage improvements;
19. 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,
20. 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 169 single-family residential lots, 10 townhome lots and a Common Lot. The lots will range in size from 0.19 acres to 7.83 acres and are to be known as Highpointe Ranch North Subdivision. The applicant is proposing to construct the project in 5 phases.

On September 20, 2021, the City approved an Annexation Petition (21AN001) to annex the subject property into the City limits of Rapid City. The applicant has subsequently submitted a Rezoning request to change the zoning designation of the property from No Use District to Low Density Residential District II (21RZ019).

The property is located at the northern terminus of Cloud Peak Drive. 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: The property is currently zoned No Use District which serves as a holding zone when a property is initially annexed into the City limits. As previously noted, the applicant has submitted a Rezoning request to rezone the subject property from No Use District to Low Density Residential District II. The Low Density Residential District II allows both single family and townhome development. All of the proposed lots meet the minimum lot size requirements of the district.

The City Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood. The Urban Neighborhood designation supports the proposed residential development. As such, the proposed plat is in compliance with the City’s Comprehensive Plan.

Wind River Road: Wind River Road is proposed to extend through the subject property and is classified as a collector street on the City’s Major Street Plan requiring that it be located within a 68-foot wide right-of-way and constructed with a minimum 34-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for Wind River Road must be submitted for review and approval as identified 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.

Bernina Court, Kenya Court, Andean Court and Big Sky Court: These streets are classified as lane place streets requiring that the they be located in a minimum 50-foot wide right-of-way and constructed with a minimum 24-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the cul-de-sac bulb(s) must be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual. Upon submittal of a Development Engineering Plan application, construction plans for the streets must be submitted for review and approval as identified 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.

Cloud Peak Drive, Kenai lane and Kilimanjaro Drive: These streets are classified as local streets requiring that the 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, water and sewer. In addition, the cul-de-sac bulb(s) must be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual. Upon submittal of a Development Engineering Plan application, construction plans for the streets must be submitted for review and approval as
identified 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.

**Section Line Highway:** A section line highway is located along the east lot line of the subject property. An Exception (21EX147) has been granted to waive the street and utility construction improvements within the section line highway. Since the section line highway has not been vacated, the applicant should be aware that the adjacent proposed lots will have a limited building area in order to meet the minimum required 58-foot setback to the section line highway and the minimum 25-foot setback along Wind River Road, a collector street.

**Access:** Section 2.6 of the Infrastructure Design Criteria Manual states that a street with a single access shall not be used for more than 40 dwelling units. A second access shall be provided when more than 40 dwelling units are accessed from a street. Currently, Cloud Peak Drive provides access to 13 lots with one point of access. Phase One of the proposed development will create an additional 35 lots with one point of access, resulting in a total of 48 lots. An Exception (21EX161) has been granted to allow the 48 lots with one point of access. Please note that once all five phases have been constructed, all lots will have more than one point of access.

To ensure that maximum fire protection measures are being secured as a part of this plat and since more than 40 dwelling units will have one point of access, the Fire Department is requiring the following:

1. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable; and,

2. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provision are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative; fire suppression systems are installed in any new residential structures or significant alterations to the existing residential structure that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable.

**Traffic Impact Study:** The applicant has submitted a Traffic Impact Study to address traffic concerns associated with the development and the existing development within the area. The Study recommends the widening and restriping of the eastbound approach on Sheridan Lake Road to include a dedicated 12-foot wide left turn lane within the existing center striped area. In addition, a minimum of 100 feet of storage, 100 feet of deceleration and a 120-foot taper length for the eastbound left turn lane must be provided. Upon submittal of a Development Engineering Plan application, construction plans addressing these improvements must be submitted for review and approval.

The Study also recommends that at some point, parking on one side of Dunsmore Road...
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located north of Portrush Road be eliminated. With this recommendation along with the authority granted by Chapter 10.40.010 of the Rapid City Municipal Code, the City Engineer will monitor the traffic and remove parking per the recommendation at a later date if it is determined to be necessary.

Water: The property is located in the Red Rock Water Zone which serves elevations of 3,680 to 3,920 feet. Portions of the proposed development appear to be at or above this elevation. A design report will be necessary to demonstrate adequate water service for domestic and fire flows. A utility corridor and a 12-inch water main must be provided to the east lot line. This will accommodate future looping of the 12-inch water main to the east. The location of this water main and utility corridor is near the E-W ¼ section line. The water main must be looped from the initial phases. The applicant’s Phasing Plan must be revised or a water main loop must be provided. In addition, a water main corridor must be provided to the west lot line.

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.

Sewer: The submitted information identifies Phase 1 and Phase 5 as gravity flow down Cloud Peak Drive, connecting to the existing system in Cloud Peak Drive. Information must be submitted to verify that this gravity system will meet Infrastructure Design Criteria Manual requirements. Phases 2 through 4 are shown as gravity feed to a point southeast of the proposed lift station location. Information for this potential lift station must be provided and the design must comply with the infrastructure Design Criteria Manual for regional wastewater facilities. This lift station must be approved per these standards prior to a Development Engineering Plan application that utilizes the lift station. A sewer basin map must be provided verifying which lots are served by the existing gravity sewer and the Red Rock Meadows lift station and which lots will be served by a new lift station. A utility corridor must also be provided to the west lot line.

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 Red Rock Drainage Basin. Drainage must be detained to pre-development rates or identify Drainage Basin Elements in project area. A Covenant Agreement and access are required for the proposed drainage pond. In addition, there must not be any inter-basin transfer of stormwater. Storm water quality treatment must also be provided as required by Chapter 8.48 of the Rapid City Municipal Code. The applicant must also address all discharge points for post versus pre run-off.

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 as identified above. Easements must also be dedicated as needed.

**Fire Protection:** There are areas of the subject property that are wooded and considered to be within a high wildland fire hazard area. As such, the applicant must enter into a Wild Fire Mitigation Plan for the property. In addition, a copy of the approved plan must be submitted with the Final Plat application.

**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.