

STAFF REPORT  
January 6, 2022

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**No. 21PL119 - Preliminary Subdivision Plan**

**ITEM 4**

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GENERAL INFORMATION:

|                                |  |
|--------------------------------|--|
| APPLICANT                      | BH Capital LLC   |
| AGENT                          | KTM Design Solutions, Inc.   |
| PROPERTY OWNER                 | BH Capital LLC   |
| REQUEST                        | <b>No. 21PL119 - Preliminary Subdivision Plan</b>  |
| EXISTING<br>LEGAL DESCRIPTION  | A portion of the S1/2 of the SE1/4 of Section 32, T2N, R8E, BHM; the S1/2 of the SW1/4 of Section 33, T2N, R8E, BHM; the NE1/4 of Government Lot 1 of Section 5, T1N, R8E; Government Lot 4 less the east 910 feet and the east 910 feet of Government 4 less Diamond Ridge Subdivision of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED<br>LEGAL DESCRIPTION  | Proposed Lots 46 and 47 of Block 4, Lot 56 and Drainage Lot of Block 5, Lot 3 of Block 6, Lot 1 of Block 7, Lot 1 and Drainage Lot of Block 8 of Shepherd Hills South Subdivision and Lots 17 and 18 of Block 7, Lots 29 and 30 of Block 3 of Diamond Ridge Subdivision  |
| PARCEL ACREAGE                 | Approximately 58 acres   |
| LOCATION                       | Mostly northeast of the intersection of Mickelson Drive and E. Anamosa Street  |
| EXISTING ZONING                | General Agricultural District; Medium Density Residential District   |
| FUTURE LAND USE<br>DESIGNATION | Urban Neighborhood   |
| SURROUNDING ZONING             |  |
| North:                         | Low Density Residential District II - Medium Density Residential District  |
| South:                         | General Agricultural District - Medium Density Residential District  |
| East:                          | General Agricultural District  |
| West:                          | Mobil Home Residential District  |
| PUBLIC UTILITIES               | City sewer and water   |
| DATE OF APPLICATION            | October 29, 2021   |

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REVIEWED BY

Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with stipulations:

1. Upon submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval;
2. Upon submittal of a Development Engineering Plan application, construction plans for E. Anamosa Street shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a principal arterial street 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 Mickelson Drive shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a minor arterial street 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;
4. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a collector street with an additional 10 feet or right-of-way the first 200 feet as the street extends from E. Anamosa Street 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;
5. Upon submittal of a Development Engineering Plan application, construction plans for Diamond Ridge Boulevard shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street with an additional 10 feet or right-of-way the first 200 feet as the street extends from E. Anamosa Street 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;
6. Upon submittal of a Development Engineering Plan application, construction plans for the north-south section line highway and the east-west section line highway shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception or shall be vacated. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;
7. Upon submittal of a Development Engineering Plan application, the sewer shall be redesigned or an exception shall be obtained to allow a sewer main outside of right-of-way;
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

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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 Environment 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, that portion of the property currently zoned General Agriculture District shall be rezoned to Medium Density Residential District;
14. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed Drainage Lots and any other drainage elements created with the proposed development. In addition, Major Drainage Easements shall be dedicated for all drainage improvements;
15. 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,
16. 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 two commercial lots, five residential lots and two drainage lots within Shepherd Hills South Subdivision and residential lots in Diamond Ridge Subdivision. The lots will range in size from 0.15 acres to 17.21 acres.

The property is located southeast of E. Anamosa Street and E. Philadelphia Street. 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 property is currently zoned General Agriculture District and Medium Density Residential District. Prior to submittal of a Final Plat application, the portion of the property zoned General Agriculture District must be rezoned to Medium Density Residential District.

The City's Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood. Creating the residential lots as proposed is in compliance with the City's Comprehensive Plan.

**E. Anamosa Street:** E. Anamosa Street is identified 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

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and constructed with a minimum 36-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Upon submittal of a Development Engineering Plan application, construction plans for E. Anamosa Street 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.

Mickelson Drive: Mickelson Drive is identified as a minor arterial street on the City's Major Street plan requiring that the street 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 water. Upon submittal of a Development Engineering Plan application, construction plans for Mickelson Drive 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.

N. Valley Drive: N. Valley Drive is identified as a collector street on the City's Major Street plan requiring that the street be located in a minimum 68-foot wide right-of-way with an additional 10 feet or right-of-way the first 200 feet as the street extends from E. Anamosa Street and constructed with a minimum 34-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive 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.

Diamond Ridge Boulevard: Diamond Ridge Boulevard is identified as a local street requiring that the street be located in a minimum 52-foot wide right-of-way with an additional 10 feet or right-of-way the first 200 feet as the street extends from E. Anamosa Street and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Upon submittal of a Development Engineering Plan application, construction plans for Diamond Ridge Boulevard 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 extends through the property north to south and a second section line highway extends along the south lot line of the property east to west. Both section line highways are classified as local streets requiring that 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, sewer and water. Upon submittal of a Development Engineering Plan application, construction plans for the section line highways must be submitted for review and approval as identified or must meet criteria for obtaining an Exception or be vacated. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Traffic Impact Study: The proposed plat identifies several large multi-family residential lots. It is anticipated that more than 150 dwelling units will be constructed on the subject property. As such, pursuant to Section 2.17.1.2 of the Infrastructure Design Criteria Manual, a Traffic Impact Study must be submitted for review and approval. Staff is recommending that the Traffic Impact Study be submitted with the Development Engineering Plan application.

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Water: The proposed lots are located in the Low Level and North Rapid Water Zones. A booster station is required to serve the North Rapid area. This booster has been included in the Tax Increment Financing (TIF) project for this development and is currently in the design phase of the project with anticipated completion in 2023 to 2024. There is limited water available to serve the North Rapid Zone until this booster station is constructed. 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 provided as needed.

Mickelson Drive and E. Anamosa Street require oversize mains, but these have been included in the TIF so an oversize agreement is not required.

Sewer: Sewer is proposed to go west to Mickelson Drive and east to Diamond Ridge Boulevard. A design report must be submitted for review and approval to verify that adequate capacity downstream exists, as there may be a bottleneck in the system in the Copperfield Subdivision area. In addition, upon submittal of a Development Engineering Plan application, the sewer must be redesigned or an exception must be obtained to allow a sewer main outside of right-of-way. In addition, easements must be provided as needed.

Drainage: The proposed development has two regional ponds identified in the TIF for construction. Grading on these ponds has already been approved. 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 identifying that the drainage is being detained to pre-development rates. The drainage system evaluation must also address all discharge points for post versus pre-developed run-off and determine whether storm sewer will be required in the street. 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 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

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Zoning and Subdivision Regulations assuming compliance with the stated stipulations.