

STAFF REPORT
February 24, 2022

No. 21PL152 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT	David Lamb and Andrea Andersen Revocable Trust
AGENT	Dream Design International, Inc
PROPERTY OWNER	David Lamb and Andrea Andersen Revocable Trust, E.M. Hoff Family Ranch Limited Partnership and Marvin and Kay Paschke
REQUEST	No. 21PL152 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	The E1/2 of the SE1/4 lying southwest of Old Folsom Road; the W1/2 of the SW1/4 less Lot B, less Lots H2, H3, H4, H5, H6, less Gruenin Addition and less Lot 1 of Lot A; the E1/2 of Lot P (AKA Old HWY 79); the E1/2 of the W1/2 lying south of Old Folsom Road; the W1/2 of the E1/2 lying south of Old Folsom Road, less Lot A of the NW1/4 of the SE1/4 all in Section 20; and the N1/2 of Section 29 lying east of Hwy 79, all located in Section 20 and Section 29, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1 thru 7 of Block 1, Lots 1 thru 5 of Block 2, Lots 1 thru 8 of Block 3 of Black Hills Industrial Center Subdivision
PARCEL ACREAGE	Not provided by applicant
LOCATION	Southeast of the intersection of S. D. Highway 79 and Old Folsom Road
EXISTING ZONING	Agricultural District (Pennington County)
FUTURE LAND USE DESIGNATION	Light Industrial/Heavy Industrial
SURROUNDING ZONING	
North:	Light Industrial District - Agricultural District (Pennington County)
South:	Agricultural District (Pennington County)
East:	Heavy Industrial District (Pennington County) - Light Industrial District (Pennington County)
West:	Light Industrial District (Pennington County) - Public District
PUBLIC UTILITIES	City sewer and water

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DATE OF APPLICATION December 23, 2021

REVIEWED BY Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations;

1. Prior to submittal of a Development Engineering Plan application, street names for proposed Street A and Street B shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document and construction plans shall show the approved street names;
2. Upon submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval. In addition, construction plans addressing any required improvements identified within the Traffic Impact Study shall be submitted with the Development Engineering Plan application for review and approval;
3. Upon submittal of a Development Engineering Plan application, construction plans for Old Folsom Road 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. In addition, the plat document shall show the dedication of additional right-of-way as needed to ensure that half of the required 100-foot wide right-of-way for a principal arterial street is being provided;
4. Upon submittal of a Development Engineering Plan application, construction plans for S.D. Highway 79 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;
5. Upon submittal of a Development Engineering Plan application, construction plans for Street A shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a commercial street with an additional 10 feet of right-of-way the first 200 feet as the street extends east from S.D. Highway 79 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 Street B 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 of right-of-way the first 200 feet as the street extends south from Old Folsom Road 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;
7. Upon submittal of a Development Engineering Plan application, construction plans for the section line highways shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for an industrial 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;
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

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- 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, permits shall be secured from the South Dakota Department of Transportation, the railroad, Pennington County Highway Department and Floodplain Development Permit(s) as needed;
 13. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded;
 14. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed 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 application to create 20 lots, leaving an unplatted balance. The development will consist of a mix of commercial and industrial lots, with the commercial lots located adjacent to S.D. Highway 79. The development will be constructed in four phases. The unplatted balance is identified as "future development and phases". The lots will range in size from 2.39 acres to 86.89 acres and will be known as the Black Hills Industrial Center Subdivision.

The applicant has also submitted several associated applications to annex the property into the City limits and to rezone the proposed lots from No Use District to allow the mix of uses as identified above. In addition, the applicant has submitted an application for Tax Increment Financing to assist with regional expenses. Below is a chart identifying the status of these applications:

Case File	Date	Request	Action
21AN004	2/7/2022	Annexation	Approved-City Council
21RZ026	2/7/2022	Rezone from NU District to Light Industrial District	Approved-City Council

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21RZ027	2/7/2022	Rezone from NU District to Heavy Industrial District	Approved-City Council
21RZ028	2/7/2022	Rezone from NU District to General Commercial District	Approved-City Council
21RZ029	2/7/2022	Rezone from NU District to Heavy Industrial District	Approved-City Council
21RZ038	2/7/2022	Rezone from NU District to Heavy Industrial District	Approved-City Council
21RZ039	2/7/2022	Rezone from NU District to Heavy Industrial District	Approved-City Council
21TIF003	3/1/2022	Application for Tax Increment Financing	Review by the TIF Committee

The property is located southeast of the intersection of S. D. Highway 79 and Old Folsom Road. 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 property has recently been annexed and rezoned to allow a mix of commercial and industrial lots as proposed. The City's Future Land Use Plan identifies the appropriate use of the property as light industrial and heavy industrial uses. The Future Land Use Plan also encourages flexibility within the land use designations which supports allowing commercial uses along S. D. Highway 79, a principal arterial street on the City's Major Street Plan. Subsequently, the proposed plat is in compliance with the City's Comprehensive Plan.

Master Plan/Phasing Plan: The applicant has submitted a Master Plan for the property identifying that the development will be constructed in four phases, with the unplatted balance identified as "future development and phases". Proposed Street B, a collector street on the City's Major Street Plan, is shown to extend through the unplatted balance. However, the alignment of the street within this area is not in compliance with the location as shown on the adopted City's Major Street Plan. The applicant should be aware that when this area develops, the street location must be revised to align with the adopted plan or all of the affected neighboring property owners must concur with the proposed relocation. The applicant also has the option of submitting a Comprehensive Plan Amendment to the Major Street Plan if the neighboring property owners don't concur with the relocation of the street. The Major Street Plan also identifies Lamb Road, a principal arterial street, extending along the south boundary of the unplatted balance. Future development of this area must include the dedication of right-of-way and street construction for Lamb Road. Please note that these issue do not have to be resolved as a part of platting the lots within the first four phases of the development. Approval

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of this Preliminary Subdivision Plan does not indicate approval of the Master Plan for this area of the property.

S.D. Highway 79: S.D. Highway 79 is located along the west lot line of the property and 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 and constructed with a minimum 36-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, S.D. Highway is located within an approximate 300-foot wide right-of-way and constructed with 2-northbound lanes and 2-southbound lanes, separated by a ditch design. Upon submittal of a Development Engineering Plan application, construction plans for S.D. Highway 79 must be submitted for review and approval for the balance of the required improvements 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.

Old Folsom Road: Old Folsom Road is located along the north and east lot lines of the property and 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 and constructed with a minimum 36-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Old Folsom Road is located in a varying right-of-way width of 117 feet to 54 feet and constructed with an approximate 20-foot wide paved surface. Upon submittal of a Development Engineering Plan application, construction plans for Old Folsom 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. In addition, the plat document must show the dedication of additional right-of-way as needed to ensure that half of the required 100-foot wide right-of-way for a principal arterial street is being provided.

Street A: Street A is classified as a commercial street requiring that the street be located in a minimum 70-foot wide right-of-way and an additional 10 feet of right-of-way the first 200 feet of the street extending east from S.D. Highway 79 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 Street A 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.

Street B: Street B 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 with an additional 10-feet of right-of-way the first 200 feet as it extends south from Old Folsom Road 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 Street B must be submitted for review and approval as identified and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or an Exception must be obtained. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Section Line Highway: A north-south section line highway is located along the east lot line of the

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property and an east-west section line extends through the middle of the property. The section line highways are classified as industrial streets requiring that they be located in a minimum 60-foot wide right-of-way and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, the section line highways are unimproved. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway must be submitted for review and approval as identified and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or an Exception must be obtained or the section line highways must be vacated. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Water: The proposed lots for Phase 1 are located primarily in the Low-Level Water Zone which serves elevations of 3,100 feet to 3,300 feet. Most of Phases 2 thru 4 are above 3,300 feet which will require a high-level pressure zone (potentially Palo Verde Zone) to serve the area. The design report must identify the pressure zone required to serve each parcel within and adjacent to the proposed development to ensure that all property will be able to be served. There is a 12-inch water main along the east portion of Phase 1 within Old Folsom Road right-of-way. The Palo Verde Zone has limited capacity within the zone for additional growth. Additional water supply for the zone may be needed to serve this area depending on demand requirements and available capacity.

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. Easements must also be provided as needed.

Sewer: The nearest sanitary sewer main is located approximately 2,000 feet north of Old Folsom Road. A report is needed to demonstrate adequate sewer capacity downstream. There is a bottleneck in the sewer system downstream north of Elk Vale Road where an 18-inch sewer main and a 15-inch sewer main combine into a 15-inch sewer main downstream. A request has been made to check the City's sewer model to determine if there are any capacity issues in this section.

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 northwest area of the proposed development is located in the S. Highway 79 Drainage Basin. The drainage basin identifies two ponds (elements 345 and 347) within the development area. Drainage must be detained to pre-development rates. Storm water quality treatment must also be provided as required by Chapter 8.48 of the Rapid City Municipal Code.

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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 for the proposed subdivision improvements. The drainage report must address storm water quantity control and storm water quality treatment. In addition, upon submittal of a Final Plat application, an agreement must be submitted for recording securing ownership and maintenance of any proposed drainage elements. Major Drainage Easements must also be dedicated for the proposed drainage improvements.

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.

Traffic Impact Study: Section 2.17 of the Infrastructure Design Criteria Manual states that a Traffic Impact Study is required for any nonresidential development when trip generations during the peak hour is expected to exceed one hundred vehicles. Subsequently, a Traffic Impact Study is required for this development. However, an Exception has been approved to defer the submittal of the Traffic Impact Study until submittal of a Development Engineering Plan application. Construction plans addressing any required improvements identified within the Traffic Impact Study must also be submitted with the Development Engineering Plan application for review and approval.

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