**STAFF REPORT**  
August 4, 2022

**No. 22PL079 – Preliminary Subdivision Plan**  
ITEM #5

**GENERAL INFORMATION:**

**APPLICANT**  
Salmon River, LLC

**AGENT**  
Renee Catron - KTM Design Solutions, Inc.

**PROPERTY OWNER**  
Salmon River, LLC

**REQUEST**  
No. 22PL079 - Preliminary Subdivision Plan

**EXISTING**  
LEGAL DESCRIPTION  
A portion of the SE1/4 of the NW1/4 of the NW1/4 lying east of Highway 16 less right-of-way, located in the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

**PROPOSED**  
LEGAL DESCRIPTION  
Proposed Lots 1 and 2 of Block 1 of Maze Subdivision

**PARCEL ACREAGE**  
Approximately 6.82 acres

**LOCATION**  
Southeast of the intersection of Tucker Street and Mt. Rushmore Road

**EXISTING ZONING**  
General Commercial District (Planned Development)

**FUTURE LAND USE DESIGNATION**  
mixed-Use Commercial

**SURROUNDING ZONING**

North: General Commercial District (Planned Development)  
South: General Commercial District (Planned Development)  
East: Low Density Residential District I  
West: General Commercial District

**PUBLIC UTILITIES**  
City sewer and water

**DATE OF APPLICATION**  
July 8, 2022

**REVIEWED BY**  
Marlo Kapsa / Dan Kools

**RECOMMENDATION:**

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

1. Upon submittal of a Development Engineering Plan application, all information required as per Chapter 16.12.040 of the Rapid City Municipal Code shall be submitted, as applicable;

2. Upon submittal of a Development Engineering Plan application, construction plans for Tucker Street shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a commercial street or shall meet criteria for
obtaining an Exception. In addition, the plat document shall show the dedication of an additional 10 feet of right-of-way the first 200 feet as the street extends east from Mount Rushmore 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;

3. 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 shall be submitted for review and approval for the proposed subdivision improvements;

4. Upon submittal of a Development Engineering Plan application, construction plans must be submitted providing an intermediate turnaround on Tucker Street and a temporary turnaround at the terminus of Trucker Street in compliance with the Table 2-4 of the Infrastructure Design Criteria Manual or criteria for obtaining an Exception must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

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

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

7. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;

8. 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;

9. Prior to submittal of a Development Engineering Plan application, a permit shall be obtained from the South Dakota Department of Transportation in compliance with South Dakota Administrative Rule 70:09:03:0 for access to Mount Rushmore Road;

10. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded;

11. 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;

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.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Subdivision Plan to subdivide an existing 6.82 acre parcel into two lots to be known as Lots 1 and 2 of Block 1 of Maze Subdivision. Proposed Lot
1 is 3 acres in size and proposed Lot 2 is 3.91 acres in size.

The property is located southeast of the intersection of Tucker Street and Mount Rushmore Road. Proposed Lot 1 is currently developed with a mini golf course, two accessory structures, a parking area, and a large wooden maze structure. Proposed Lot 2 is developed with recreational courts and an 821 square-foot accessory structure.

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 Commercial District with a Final Planned Development Overlay. The Future Land Use plan designates the appropriate future use of the property as Mixed-Use Commercial which supports General Commercial as a primary zoning designation. As such, the proposed plat is in compliance with the City’s Comprehensive Plan.

Mount Rushmore Road:
Mount Rushmore is located along the west lot line of the property and is classified as a principal arterial street 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 water. Currently, Mount Rushmore Road is located in a varying right-of-way width of approximately 341 feet and constructed as a divided highway with two-paved lanes in each direction with City water and sewer. An Exception to waive the requirement to improve the Mount Rushmore Road to City standards has been administratively granted by the Rapid City Public Works Department. As such, no additional improvements are being required as part of this plat.

Tucker Street:
Tucker Street extends east from Mount Rushmore Road along the north lot line of proposed Lot 1. Tucker Street is classified as a commercial street per the Infrastructure Design Criteria Manual requiring that it be located in a minimum 70-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as the street extends east from Mount Rushmore Road, and constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, Tucker Street is located within a 58-foot wide right-of-way and is currently graveled to a width of approximately 21 feet narrowing into a two track road. As such, upon submittal of a Development Engineering Plan application, the plat document must include a 70-foot right-of-way along Tucker Street Road with an additional 10 feet dedicated within 200 feet of the intersection with Mount Rushmore Road and construction plans for Tucker 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.
Please note that a temporary turnaround must be constructed at the terminus of Tucker Street along with a permanent intermediate turnaround pursuant to Table 2-4 of the Infrastructure Design Criteria Manual. Upon submittal of a Development Engineering Plan application, construction plans must be submitted providing an intermediate turnaround on Tucker Street and a temporary turnaround at the terminus of Trucker Street in compliance with the Table 2-4 of the Infrastructure Design Criteria Manual or criteria for obtaining an Exception must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

The applicant should be aware that the South Dakota Department of Transportation intends to close the Tucker Street access to Mount Rushmore Road in 2026. Future access to the property will be provided via Promise Road where it will extend north from the northern lot line of Proposed Lot 1 to the new Promise Road and Mount Rushmore Road intersection.

**Drainage:**

The majority of the property is located within the South Truck Route Drainage Basin, with a small portion of the property being located within the Arrowhead Drainage Basin. No inter-basin transfer of stormwater is permitted. 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 confirm that stormwater quality treatment for the proposed development was accounted for in previous drainage improvements. If not, the developer must provide stormwater quality treatment pursuant to Chapter 8.48 of the Rapid City Municipal Code. Additionally, the report must also address all discharge points for post versus pre runoff volumes. Easement must also be secured as needed.

**Water/Sewer:**

The property is located in the Skyline Water Zone which serves elevations of 3,680 feet to 3,900 feet. The elevation of the proposed development is approximately 3,780 feet. There is an existing 14-in water main located in the Mount Rushmore Road right-of-way. A minimum 8-inch water main must be constructed within the Tucker Street right-of-way. Upon submittal of a Development Engineering Plan application, construction plans for the 8-inch Tucker Street water main must be submitted for review and approval or criteria for obtaining an Exception must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

There are two existing 8-inch sewer mains located within the Mount Rushmore Road right-of-way. A minimum 8-inch sewer main must be constructed within the Tucker Street right-of-way. Upon submittal of a Development Engineering Plan application, construction plans for the 8-inch Tucker Street sewer main must be submitted for review and approval or criteria for obtaining an Exception must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan 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.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. Prior to the City’s acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

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