

STAFF REPORT  
August 10, 2023

---

**No. 23PL059 - Preliminary Subdivision Plan**

**ITEM 2**

---

GENERAL INFORMATION:

|                             |  |
|-----------------------------|--|
| APPLICANT                   | BH Capital LLC   |
| AGENT                       | Renee Catron - KTM Design Solutions, Inc.  |
| PROPERTY OWNER              | BH Capital LLC   |
| REQUEST                     | <b>No. 23PL059 - Preliminary Subdivision Plan</b>  |
| EXISTING LEGAL DESCRIPTION  | Government Lot 4 less the east 910 feet of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota           |
| PROPOSED LEGAL DESCRIPTION  | Lots 1, 2, Unplatted Balance and Drainage Lot A of Block 16 of Shepherd Hills South Subdivision and dedicated right-of-way |
| PARCEL ACREAGE              | Approximately 13.04 acres  |
| LOCATION                    | Southeast of East Anamosa Street and Valley Drive  |
| EXISTING ZONING             | General Agricultural District  |
| FUTURE LAND USE DESIGNATION | Urban Neighborhood   |
| SURROUNDING ZONING          |  |
| North:                      | Medium Density Residential District - General Agricultural District  |
| South:                      | No Use District  |
| East:                       | Medium Density Residential District  |
| West:                       | Pubic District - General Agricultural District - Low Density Residential District  |
| PUBLIC UTILITIES            | City water and sewer   |
| DATE OF APPLICATION         | June 29, 2023  |
| REVIEWED BY                 | Tanner Halonen / Todd Peckosh  |

RECOMMENDATION:

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

1. Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.040 of the Rapid City Municipal Code;
2. Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;
3. Upon the submittal of a Development Engineering Plan application, engineering design

STAFF REPORT  
August 10, 2023

---

**No. 23PL059 - Preliminary Subdivision Plan**

**ITEM 2**

---

- reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per §1.15 of 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;
4. Prior to the submittal of a Development Engineering Plan application, the Traffic Impact Study shall be updated to reflect the anticipated increase in density along Valley Drive or the criteria for obtaining an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
  5. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Collector Street shall be submitted for review and approval for the extension of Valley Drive, or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
  6. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for the regional detention pond on Drainage Lot A or the criteria for obtaining an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
  7. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  8. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
  9. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
  10. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
  11. Prior to the submittal of a Final Plat application, the property shall be rezoned from General Agriculture District to a zoning designation in compliance with the City's Comprehensive Plan;
  12. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary; and,
  13. Prior to the City's acceptance of 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 residential lots and a drainage lot, leaving an unplatted balance. These lots are being developed from the unplatted balance located southeast of the future extensions of East Anamosa Street and Valley Drive. The lots will range from 1.8 acres to 5.46 acres in size. The proposed development will be known as Lots 1, 2, and Drainage Lot A of Block 16 of Shepherd Hills South Subdivision.

The property is located southeast of East Anamosa Street and Valley Drive and is currently undeveloped.

STAFF REPORT  
August 10, 2023

---

**No. 23PL059 - Preliminary Subdivision Plan**

**ITEM 2**

---

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 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 zoned General Agriculture District. This zoning district is intended to provide for land situated on the fringe of the urban area which is used for agricultural purposes but will be undergoing urbanization in the future. There is no minimum lot size requirement in the General Agriculture District unless a residential use is being proposed. For each dwelling and building accessory thereto the minimum required lot area is 20 acres.

The City's Comprehensive Plan identifies the Future Land Use of the property as Urban Neighborhood in which a range of medium to high-density housing types is listed as a primary characteristic. Prior to the submittal of a Final Plat application, the property must be rezoned in compliance with the City's Comprehensive Plan.

Traffic Impact Study: A Traffic Impact Study was completed with the previous phase of East Anamosa Street and this study assumed single-family development along Valley Drive. The large lot sizes shown on the plat document and the identified Future Land Use can accommodate a higher density of residential development than what was assumed in the Traffic Impact Study. Prior to the submittal of a Development Engineering Plan application, the Traffic Impact Study must be updated to reflect the anticipated increase in density along Valley Drive or the 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.

Master / Phasing Plan: The applicant has submitted a Master / Phasing Plan pursuant to §16.12.030 of the Rapid City Municipal Code. The plan identifies development occurring in nine phases for the Shepherd Hills South Subdivision. The proposed development is considered as Phase Nine or the final phase of this subdivision. The plan includes streets, drainage, sanitary sewer, and water and identifies the extension of infrastructure to adjacent properties. The applicant should be apprised that approval of the Preliminary Subdivision Plan does not indicate approval of the Master / Phasing Plan.

East Anamosa Street: East Anamosa Street is located north of the subject property and is classified as a Principal Arterial Street on the City's Major Street Plan. The Infrastructure Design Criteria Manual requires that this 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. This section of East Anamosa Street is currently under construction. No additional street improvements are required as part of this plat.

Valley Drive: The plat document submitted identifies the extension of Valley Drive from its terminus south of the subject property to the future extension of East Anamosa Street. Valley

STAFF REPORT  
August 10, 2023

---

**No. 23PL059 - Preliminary Subdivision Plan**

**ITEM 2**

---

Drive is classified as a Collector Street on the City's Major Street Plan. The Infrastructure Design Criteria Manual requires that the street be located in a minimum 68-foot wide right-of-way and constructed with a 34-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water, and sewer. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Collector Street must be submitted for review and approval for the extension of Valley Drive, or the 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 apprised that access must be provided for all developed property west of Valley Drive and only the east side of the Section Line Highway can be dedicated as public right-of-way. As a part of any future Building Permit application, property line sidewalks must be constructed along the street right-of-way frontages adjacent to the proposed lots or a Variance must be obtained from City Council. The developer is responsible for sidewalks at intersections including accessible handicap ramps, unbuildable lots, and previously platted and/or developed lots.

Water: The proposed development is located in the Low Level Water Zone which serves elevations of 3,100 to 3,300 feet. The proposed lots are approximately 3,230 feet to 3,300 feet in elevation. The southern plat boundary borders the service boundary line between Rapid City and Rapid Valley Sanitary District. Upon the submittal of a Development Engineering Plan application, engineering design reports must be submitted for review and approval to demonstrate there is adequate water available to serve the proposed development. All final engineering reports must 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. Upon the submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval to extend the water main south along Valley Drive or the criteria for obtaining 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.

Sewer: There is sewer currently being constructed in East Anamosa Street. The previous design report identified that the downstream sewer is already over capacity based on seven residential lots along Valley Drive discharging to this downstream sewer. Downstream upgrades may be required. Upon the submittal of a Development Engineering Plan application, engineering design reports must be submitted for review and approval to demonstrate how Lot 1 and 2 of Block 16 will be served by sewer. All final engineering reports must 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. Upon the submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval to extend the sewer main south along Valley Drive or the criteria for obtaining 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.

Drainage: The Tax Increment Finance District has been approved which includes the subject property. The approved projects within the Tax Increment Finance District included a regional

STAFF REPORT  
August 10, 2023

---

**No. 23PL059 - Preliminary Subdivision Plan**

**ITEM 2**

---

detention pond which is identified on the plat document as Drainage Lot A. Upon the submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval for the regional detention pond on Drainage Lot A or the 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.

Development Agreement: Chapter 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. The resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. 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.