

STAFF REPORT  
September 21, 2023

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**No. 23PL082 - Preliminary Subdivision Plan**

**ITEM 6**

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GENERAL INFORMATION:

APPLICANT	Villa Village Mobile Home Park LLC
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNERS	Villa Village Mobile Home Park LLC
REQUEST	<b>No. 23PL082 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	SW¼SE¼SW¼, S32, T2N, R8E, B.H.M, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 2, Block 2, Shepherd Hills West Subdivision
PARCEL ACREAGE	10 acres
LOCATION	390 Creek Drive
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Light Industrial District
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	Light Industrial District – Medium Density Residential District
East:	Mobile Home Residential District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	August 25, 2023
REVIEWED BY	Tanner Halonen / Dan Kools

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 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

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3. of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual; Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Minor Arterial Street shall be submitted for review and approval for the extension of Creek 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;
4. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for a permanent turnaround at the eastern terminus of Viewfield Avenue 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;
5. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
6. 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;
7. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
8. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
9. Prior to the submittal of a Final Plat application the southwestern garage shall either be removed or relocated outside of required Creek Drive right-of-way unless an Exception is obtained to waive the dedication of right-of-way. If the garage is removed, a copy of the Demolition Permit shall be submitted with the Final Plat application;
10. Upon the submittal of a Final Plat application, the plat document shall dedicate 50 feet of right-of-way for Creek Drive unless an Exception has been obtained to waive this requirement;
11. Upon the submittal of a Final Plat application, the plat document shall dedicate 26 feet of right-of-way for Viewfield Avenue and dedicate 31 feet of right-of-way for the first 200 feet from Creek Drive unless an Exception has been obtained to waive this requirement;
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;
13. Upon the submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City for the maintenance and ownership of any proposed drainage elements;
14. Upon the submittal of a Final Plat application, a Major Drainage Easement shall be dedicated for all drainage improvements; and,
15. 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 an 8.71-acre lot on the property currently addressed as 390 Creek Drive. The proposed development will be known as Lot 2 of Block 2 of Shepherd Hills West Subdivision.

The subject property is located northeast of the intersection of Creek Drive and Viewfield Avenue and is developed with a single-family dwelling, a detached garage, and two outbuildings. The applicant intends to remove these buildings and develop the property as a mobile home park.

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

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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 Commercial District. This zoning district is intended to provide for personal and business services and the general retail business of the City. There are no minimum lot area requirements in this district. The applicant has submitted an associated Rezone Request (File #23RZ017) to rezone the property to Mobile Home Residential District.

The City's Comprehensive Plan identifies the Future Land Use of the property as Light Industrial which does not support the current General Commercial District nor the proposed Mobile Home Residential District. This Future Land Use is expected to be updated to Urban Neighborhood in 2024.

**Creek Drive:** The plat document submitted identifies that Creek Drive will be extended along the west property line and is classified as a Minor 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, streetlight conduit, sewer, and water. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Minor Arterial Street must be submitted for review and approval for the extension of Creek 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. Upon the submittal of a Final Plat application, the plat document must dedicate 50 feet of right-of-way for Creek Drive unless an Exception has been obtained to waive this requirement.

There is a detached garage located in the southwest portion of the property that is setback an estimated 25 feet from the west property line. Creek Drive is proposed to extend along the west property line and requires the dedication of a 50-foot wide right-of-way. Prior to the submittal of a Final Plat application the southwestern garage must either be removed or relocated outside of Creek Drive unless an Exception is obtained to waive the dedication of right-of-way. If the garage is removed, a copy of the Demolition Permit must be submitted with the Final Plat application.

**Viewfield Avenue:** Viewfield Avenue is located along the south property line and is classified as a Local Street in the Infrastructure Design Criteria Manual. The Infrastructure Design Criteria Manual requires that this street 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. The portion of Viewfield Avenue adjacent to the proposed lot is mostly unimproved except for a small section adjacent to the southwest portion of the property. The Public Works Department has administratively waived the required street improvements for the remainder of Viewfield Avenue adjacent to the proposed lot except for

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the dedication of right-of-way and the construction of a permanent turnaround. The applicant should be apprised that the street must be located in a minimum 31-foot wide right-of-way for the first 200 feet from Creek Drive. Upon the submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval for a permanent turnaround at the eastern terminus of Viewfield Avenue 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. Upon the submittal of a Final Plat application, the plat document must dedicate 26 feet of right-of-way along Viewfield Avenue and dedicate 31 feet of right-of-way for the first 200 feet from Creek Drive unless an Exception has been obtained to waive this requirement.

The applicant should be apprised that 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.

Water / Sewer: The proposed development is located in the Low Level Water Zone which serves elevations of 3,100 feet to 3,300 feet. The proposed lots are approximately 3,220 feet in elevation. There is approximately 130 feet of 12-inch water main in Viewfield Avenue. There is approximately 255 feet of eight-inch sanitary sewer in Creek Drive and approximately 680 feet of eight-inch sanitary sewer in Viewfield Drive. There is 10-inch sanitary sewer along the entire eastern frontage of the property.

Drainage: The proposed development is located in the Perrine Drainage Basin. The applicant should be apprised that drainage must be detained to pre-development rates and all discharge points for post versus pre-runoff must be addressed. If the storm water quality treatment for the proposed development was not previously accounted for in the drainage improvements, stormwater quality treatment must be provided as per §8.48 of the Rapid City Municipal Code.

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.