

STAFF REPORT  
February 9, 2017

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**No. 17PL004 - Preliminary Subdivision Plan**

**ITEM 2**

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GENERAL INFORMATION:

APPLICANT	BH Capital, LLC
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNER	BH Capital, LLC
REQUEST	<b>No. 17PL004 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	The N1/2 of the NW1/4 excepting therefrom Lots H5 of the NE1/4 of the NW1/4; the N1/2 of the SE1/4 of the NW1/4 excepting therefrom Lot H1; Lot AB of the NW1/4 as shown by the plat recorded in Book 12 of the Highway Plats on Page 17, located in Section 9, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots A and B of Johnson Ranch Subdivision
PARCEL ACREAGE	Approximately 10.21 acres
LOCATION	Southeast quadrant of E. St. Patrick Street and South Valley Drive intersection
EXISTING ZONING	Suburban Residential District (Pennington County)
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	General Agricultural District
South:	Low Density Residential District - General Agricultural District
East:	Light Industrial District (Planned Development) - General Commercial District (Planned Development) - General Agricultural District
West:	Low Density Residential District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	January 13, 2017
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

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stipulations:

1. Upon submittal of a Development Engineering Plan application, the red line plan comments shall be addressed. In addition, the redline plan comments shall be returned with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, construction plans for East Saint Patrick Street shall be submitted for review and approval showing the street constructed with sidewalk, dual water mains in accordance with the Rapid Valley Sanitary District master plan and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, construction plans for South Valley Drive shall be submitted for review and approval showing the street located within 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 East Saint Patrick Street. In addition, the street shall be constructed with a minimum 36 foot wide paved surface to allow a three lane section with curb, gutter, sidewalk, street light conduit and water upsized in accordance with the Rapid Valley Sanitary District master plan or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual and in compliance with the Rapid Valley Sanitary District master plan. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development;
5. 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 and in compliance with the Rapid Valley Sanitary District master plan shall be submitted for review and approval. The design report shall 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 and the Rapid Valley Sanitary District master plan;
6. 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. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, easements shall be provided as needed. Perpetual ownership and maintenance of facilities shall also be identified;
7. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. 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;
8. 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, if applicable;
9. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  10. Prior to submittal of a Final Plat application, the property shall be annexed into the City limits of Rapid City;
  11. 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,
  12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Subdivision Plan to create two lots from 48.84 acres, leaving an unplatted balance. The lots are to be known as Lot A and Lot B of the Johnson Ranch Subdivision and are 2.15 and 8.59 acres in size, respectively. The applicant has also submitted a Master Plan and a Phasing Plan for the balance of the 48.84 acres showing the future subdivision and development of the entire property with a mix of commercial and residential uses. This Preliminary Subdivision Plan is identified as Phase 1A on the Master Plan.

A portion of the 48.84 acres, which consists of 37.232 acres, is located outside of the City limits. As such, the applicant has submitted a Petition of Annexation (File #17AN002) to annex the 37.232 acres into the City limits of Rapid City.

The property is located in the southeast corner of East Saint Patrick Street and South Valley Drive. 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:

**Annexation/Zoning:** As previously indicated, a portion of the 48.84 acres is located outside of the City limits which includes Phase 1A. Pursuant to Chapter 16.040.090 of the Rapid City Municipal Code, the area of the subject property being platted must be annexed into the City prior to submittal of a Final Plat application. Upon annexation the property will be zoned No Use District and will be rezoned within 120 days after the effective date of the annexation. The applicant should be aware that the property must be rezoned prior to issuance of a building permit.

**Master Plan:** The applicant has submitted a Master Plan showing a mix of commercial and residential development for the 48.84 acres. The Master Plan identifies that the property will

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be developed in several phases. The applicant is currently working with staff to adjust the Master Plan to accommodate additional densities and to provide a pocket park for the proposed development. In particular, the applicant is proposing to create smaller lots with reduced side yard setbacks in order to provide work force housing. In consideration of the additional densities, the applicant has agreed to provide residential fire suppression systems in each of the primary residential structures. Please note that approval of this Preliminary Subdivision Plan does not indicate approval of the master plan since this is currently being adjusted. Staff will continue to work with the applicant to ensure that the master plan meets City design standards while creating a unique housing development

East Saint Patrick Street: East Saint Patrick Street is located along the north lot line and is classified as a principal arterial street on the City's Major Street Plan requiring that it be located within a minimum 100 foot wide right-of-way and constructed with a 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water. Currently, East Saint Patrick Street as it abuts proposed Phase 1A is located within a 150 foot wide right-of-way and constructed with an approximate 58 foot wide paved surface, curb, gutter, standard lighting and a Rapid Valley Sanitary District water main. Upon submittal of a Development Engineering Plan application, construction plans for East Saint Patrick Street must be submitted for review and approval showing the street constructed with sidewalk, dual water mains in accordance with the Rapid Valley Sanitary District master plan and sewer or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

South Valley Drive: South Valley Drive is located along the west lot line and is classified as a collector street on the City's Major Street Plan. However, the street is located outside of the City limits and is on the County's street system. Subsequently, the Pennington County Highway Department has indicated that South Valley Drive must be improved to collector street standards which will require a paved three lane section with curb, gutter, sidewalk, street light conduit, sewer and water or the Highway Department will not allow access from the development onto South Valley Drive. The Pennington County Highway Department has also indicated that access points along South Valley Drive must align with Long Acre Drive and East Saint Francis Street located west of South Valley Drive. Currently, South Valley Drive is located in a 65 foot wide right-of-way and constructed with a 23 foot wide paved surface and Rapid Valley Sanitary District water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for South Valley Drive must be submitted for review and approval showing the street located within 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 East Saint Patrick Street. In addition, the street must be constructed with a minimum 36 foot wide paved surface to allow a three lane section with curb, gutter, sidewalk, street light conduit and water upsized in accordance with the Rapid Valley Sanitary District master plan or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Traffic Impact Study: As previously noted, the development of the Johnson Ranch Subdivision is a phased development. The applicant should be aware that a Traffic Impact Study will be required when accumulative peak hour trip generations are expected to exceed 100 vehicles for nonresidential development or any residential development with 150 or more

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dwelling units. In addition, a Traffic Impact Study may be required if Exception(s) are requested to waive street improvement requirements in order to adequately review the Exception requests and assess the impact of the project on existing or proposed street(s).

Drainage: The property is located within the Unnamed Tributary Drainage Basin. 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, easements must be provided as needed. Perpetual ownership and maintenance of facilities must also be identified.

Water: The proposed lots are located in the Rapid Valley Sanitary District service boundary. 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 and the Rapid Valley Sanitary District master plan. 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 secured as needed.

Sewer: As previously noted, the proposed lots are located in the Rapid Valley Sanitary District service boundary. 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 and the Rapid Valley Sanitary District master plan 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.

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.

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