

STAFF REPORT  
January 4, 2018

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**No. 17PL132 - Preliminary Subdivision Plan**

**ITEM 3**

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GENERAL INFORMATION:

APPLICANT	Mollers Limited Partnership
AGENT	KTM Design Solutions, Inc.
PROPERTY OWNER	Moller's Limited Partnership
REQUEST	<b>No. 17PL132 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	Formerly Lot 3 of Eastbrooke Subdivision being Lots 1-21, and vacated alley of Block 1 of Brennan and Sweeney Addition, Lot 1 of Eastbrooke Subdivision, a portion of the south half of vacated St. Louis Street, a portion of the east 10' of vacated Racine Street, and Tract B of the SE1/4 of the SW1/4 of Section 31; all located in SE1/4 of the SW1/4 of Section 31, T2N, R8E, and the NE1/4 of the NW1/4 of Section 6, T2N, R8E, B.H.M., City of Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 3A, 3B and 3C
PARCEL ACREAGE	Approximately 5.39 acres
LOCATION	Northwest of the intersection of Omaha Street and Lacrosse Street
EXISTING ZONING	General Commercial District (Planned Development) General Commercial District
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Commercial District
East:	Medium Density Residential District - General Commercial District (Planned Development)
West:	General Commercial District (Planned Development) - General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	December 8, 2017

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REVIEWED BY

Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, the redline comments noted on the preliminary site plan shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application;
2. 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;
3. Upon submittal of a Development Engineering Plan application, construction plans for La Crosse Street and E. Omaha Street shall be submitted for review and approval showing the construction of a second water main along both streets or 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;
4. Upon submittal of a Development Engineering Plan application, construction plans for Racine Street shall be submitted for review and approval showing the dedication of an additional 5 foot of right-of-way with an additional 5 feet (10 feet total) for the first 200 feet extending north from E. Omaha Street. In addition, the construction plans shall show the construction of a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or 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 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. 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;
6. 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 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;
7. 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;
8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
9. Upon submittal of a Development Engineering Plan application, a cost estimate of the

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- required subdivision improvements shall be submitted for review and approval;
10. Prior to submittal of a Final Plat application, the plat title shall be revised to show the formerly legal description as "Lot 3 of Eastbrooke Subdivision, located in SE1/4SW1/4 of Section 31, T2N, R8E and the NE1/4NW1/4 of Section 6, T1N, R8E, BHM, City of Rapid City, Pennington County, South Dakota";
  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 subdivide an existing lot into three commercial lots. The lots are sized 1.21 acres, 1.68 acres and 2.50 acres, respectively, and are to be known as Lots 3A, 3B and 3C of Eastbrooke Subdivision.

The property is located in the northwest corner of the intersection of La Crosse Street and E. Omaha Street. 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:** The northern portion of the property is currently zoned General Commercial District with a Final Planned Development to allow 2 commercial strip malls to be constructed in two phases (File #14PD037). The southern portion of the property is zoned General Commercial District. The applicant should be aware that any changes to the proposed land use(s) or design of the area located within the Planned Development will require an amendment to the Planned Development.

**Racine Street:** Racine Street is located along the west lot line and is classified as a commercial street requiring that it be located in a minimum 70 foot right-of-way with an additional 10 feet of right-of-way the first 200 feet as it extends north from E. Omaha Street, a principal arterial street. In addition, the street must be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently Racine Street is located in a 60 foot wide right-of-way and constructed with an approximate 36 foot wide paved surface. Upon submittal of a Development Engineering Plan application, construction plans for Racine Street must be submitted for review and approval showing the dedication of an additional 5 foot of right-of-way with an additional 5 feet (10 feet total) for the first 200 feet extending north from E. Omaha Street. In addition, the construction plans must show the construction of curb, gutter, sidewalk, street light conduit, water and sewer or

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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.

E. Omaha Street and La Crosse Street: La Crosse Street and E. Omaha Street are classified as principal arterial streets on the City's Major Street Plan requiring that they 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 dual water mains. Currently, the two streets are constructed to principal arterial street standards with the exception of a second water main. As such, upon submittal of a Development Engineering Plan application, construction plans for La Crosse Street and E. Omaha Street must be submitted for review and approval showing the construction of a second water main along both streets 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.

Water: A 24 inch water main currently exists in the adjacent E. Omaha Street right-of-way and a 12 inch water main exists in the adjacent La Crosse Street right-of-way. The applicant has submitted a Master Plan showing the construction of an 8 inch water main along a portion of Racine Street. 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.

Sewer: An 8 inch sewer main currently exists in the adjacent E. Omaha Street right-of-way and an 18 inch sewer main exists in the adjacent La Crosse Street right-of-way. The applicant has submitted a Master Plan showing the construction of an 8 inch sewer main in the Racine Street right-of-way. 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.

Drainage: The property is located in the Knollwood 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.

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.

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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 be entered into with the City for additional stormwater control improvements if needed.

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.