

STAFF REPORT  
July 25, 2013

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**No. 13PL062 - Preliminary Subdivision Plan**

**ITEM 11**

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GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
AGENT	Dream Design International, Inc.
PROPERTY OWNER	Yasmeen Dream LLC
REQUEST	<b>No. 13PL062 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	The S1/2 of the SW1/4 of the NE1/4 Less Lot H1; of the S1/2 of the SE1/4 of the NW1/4 of the SW1/4; and the W1/2 of the SE1/4, Less Tract A of the E1/2 of the SW1/4 and the W1/2 of the SE1/4, Section 9, T1N, R8E, Less Lot 1 in the NE1/4 of the SW1/4 of Section 9, Less Lot H1 in the S1/2 of the SE1/4 of the NW1/4 of Section 9, Less Lot H2 in the SE1/4 of the SW1/4 of the NE1/4 of Section 9, Less Lot 1 Wally Byam Addition, Section 9, T1N, R8E, BHM, Rapid City Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Tract D; Tracts 1 thru 2, Lots 1 thru 33 of Block 12, Lots 1 through 11 of Block 2 of Orchard Meadows Subdivision
PARCEL ACREAGE	Approximately 24.9 acres
LOCATION	South of SD Highway 44 and east of Elk Vale Road
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Public, and Residential
SURROUNDING ZONING	
North:	General Agricultural District - General Commercial District (Planned Development Designation) - Suburban Residential District (Pennington County)
South:	General Agricultural District
East:	Suburban Residential District
West:	General Agricultural District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	June 21, 2013
REVIEWED BY	Vicki L. Fisher / Ted Johnson

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RECOMMENDATION:

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

1. If construction plans for that portion of Orchard Meadows Drive located in Phase One have not been submitted for review and approval prior to submittal of a Development Engineering Plan application for Phase Two, then the construction plans shall be submitted as a part of the Development Engineering Plan application for Phase Two of the development. In addition, construction plans for that portion of Orchard Meadows Drive located in Phase Two of the development shall be submitted for review and approval showing the street located within 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 as well as any improvements identified within the Traffic Impact Study 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;
2. If written approval for the proposed railroad crossing required as a part of Phase One of the development has not been obtained prior to submittal of a Development Engineering Plan application for Phase Two, then the written approval from the South Dakota Department of Transportation's Railroad Office shall be submitted prior to approval of the Development Engineering Plan application for Phase Two;
3. Upon submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval;
4. Upon submittal of a Development Engineering Plan application, construction plans for Chestnut Place shall be submitted for review and approval. In particular, the construction plans shall show the street located within 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 or an Exception shall be obtained. In addition, the cul-de-sac bulb shall be located within a minimum 118 diameter right-of-way and constructed with a minimum 96 diameter paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. The construction plans shall also show an intermediate turnaround along Chestnut Place as per Chapter 2.13.1 of the Infrastructure Design Criteria Manual or an Exception shall be obtained to waive the requirement. An Exception shall also be obtained to allow 22 dwelling units in lieu of a maximum of 20 dwelling units along a cul-de-sac street or the plat document shall be revised accordingly. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application;
5. Upon submittal of a Development Engineering Plan application, construction plans for Walnut Circle shall be submitted for review and approval. In particular, the construction plans shall show the street located within 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 as well as any improvements identified within the Traffic Impact Study 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;
6. Upon submittal of a Development Engineering Plan application, water system analysis, calculations and design in accordance with the Infrastructure Design Criteria Manual

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- shall be submitted for review and approval. Per service agreements between Rapid Valley Sanitary District and the City, water service is to be provided by Rapid Valley Sanitary District unless other arrangements are mutually approved by Rapid Valley Sanitary District and the City;
7. Upon submittal of a Development Engineering Plan application, wastewater system analysis, calculations and design in accordance with the Infrastructure Design Criteria Manual shall be submitted for review and approval. Per service agreements between Rapid Valley Sanitary District and the City, sewer service is to be provided by Rapid Valley Sanitary District unless other arrangements are mutually approved by Rapid Valley Sanitary District and the City;
  8. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  9. Upon submittal of a Development Engineering Plan application, geotechnical analysis and pavement design shall be submitted for review and approval or the minimum required pavement section as per the Infrastructure Design Criteria Manual shall be provided;
  10. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval;
  11. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Unnamed Tributary Drainage Basin Plan and the Perrine Drainage Basin Plan shall be submitted for review and approval. In addition, the drainage plan shall be in compliance with Chapter 4 of the Infrastructure Design Criteria Manual Storm Water Drainage and Storm Water Quality Manual Post-Construction water quality requirements. An agreement securing maintenance and ownership of the drainage easements shall also be recorded and a copy submitted with the Final Plat application;
  12. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. 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;
  13. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
  14. Prior to submittal of a Final Plat application, alternate street names shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall reflect the approved street names;
  15. 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,
  16. 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 44 lots and three tracts, leaving an unplatted balance. The proposed lots range in size from 0.17 acres to 7.29 acres and are to be known as Phase Two of the Orchard Meadows Subdivision. The

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applicant has also submitted a Master Plan of the entire property showing five phases of development which include a mix of commercial, multi-family residential and single family residential with parkland and open space.

On July 1, 2013, the City Council approved a Preliminary Subdivision Plan (File #13PL049) to create three lots as Phase One of Orchard Meadows Subdivision. In addition, the City Council approved associated Comprehensive Plan Amendment applications and Rezoning applications to change the Future Land Use Plan and existing zoning to comply with the proposed Master Plan of the entire property. (See associated Files 13CA008, 13CA009, 13RZ013, 13RZ014 and 13RZ015).

The property is located south of S.D. Highway 44 and east of Elk Vale Road. 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 proposed 44 residential lots and two of the three proposed tracts are currently zoned Low Density Residential District and Medium Density Residential District. Proposed Tract D is zoned General Commercial District and Public District.

**Orchard Meadows Drive:** As previously noted, a Preliminary Subdivision Plan application for Phase One has been approved by the City Council. However, as of this writing, a Development Engineering Plan application for Phase One with construction plans has not been submitted for review and approval. If construction plans for that portion of Orchard Meadows Drive located in Phase One have not been submitted for review and approval prior to submittal of a Development Engineering Plan application for Phase Two, then the construction plans must be submitted as a part of the Development Engineering Plan application for Phase Two of the development. In particular, the construction plans for Orchard Meadows Drive located within Phase One must show the street located within a minimum 70 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer as well as any improvements identified within the Traffic Impact Study or an Exception must be obtained. In addition, construction plans for that portion of Orchard Meadows Drive located in Phase Two must be submitted for review and approval. In particular, the construction plans must show the street located within 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 or an Exception must be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) must be submitted with the Development Engineering Plan application.

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The northern portion of Orchard Meadows Drive located within Phase One of the development is shown to cross through South Dakota Railroad right-of-way. As such, a stipulation of approval for Phase One required that written approval for the proposed railroad crossing be obtained from the South Dakota Department of Transportation's Railroad Office prior to approval of the Development Engineering Plan application for Phase One. If written approval for the proposed railroad crossing required as a part of Phase One of the development has not been obtained prior to submittal of a Development Engineering Plan application for Phase Two, then the written approval from the South Dakota Department of Transportation's Railroad Office must be submitted prior to approval of the Development Engineering Plan application for Phase Two.

Walnut Circle: Walnut Circle is classified as a local street. As such, upon submittal of a Development Engineering Plan application, construction plans for Walnut Circle must be submitted for review and approval showing the street located within 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 as well as any improvements identified within the Traffic Impact Study 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.

Chestnut Place: Chestnut Place is a 735 foot long cul-de-sac street serving 22 lots and is classified as a local street. Chapter 2.13.2 of the Infrastructure Design Criteria Manual states that an intermediate turnaround must be provided along a cul-de-sac street that exceeds 600 feet. In addition, Chapter 2.13.1 of the Infrastructure Design Criteria Manual states that a cul-de-sac street shall not serve more than twenty housing units. Upon submittal of a Development Engineering Plan application, construction plans for Chestnut Place must be submitted for review and approval showing the street located within 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 or an Exception must be obtained. In addition, the cul-de-sac bulb must be located within a minimum 118 diameter right-of-way and constructed with a minimum 96 diameter paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception must be obtained. The construction plans must also show an intermediate turnaround along Chestnut Place as per Chapter 2.13.1 of the Infrastructure Design Criteria Manual or an Exception must be obtained to waive the requirement. An Exception must also be obtained to allow 22 dwelling units in lieu of a maximum of 20 dwelling units along a cul-de-sac street or the plat document must be revised accordingly. If Exception(s) are obtained, a copy of the approved Exceptions must be submitted with the Development Engineering Plan application.

Street Names: The Emergency Services Communication Center has noted that the proposed street names are already in use or too similar to existing street names to use. As such, prior to submittal of a Final Plat application, alternate street names must be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document must reflect the approved street names.

Traffic Impact Study: The South Dakota Department of Transportation has indicated that a Traffic Impact Study must be submitted for review and approval to determine if improvements may be needed along S.D. Highway 44 as a result of the proposed

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development. As such, staff recommends that upon submittal of a Development Engineering Plan application, a Traffic Impact Study be submitted for review and approval. In addition, construction plans addressing all improvements identified within the Traffic Impact Study must be submitted for review and approval.

Water/Sewer: The property is located within the Rapid Valley Sanitary District Service boundary. The applicant has met with City staff and representatives from the Rapid Valley Sanitary District to discuss proposed service options. Per an existing service agreement between Rapid Valley Sanitary District and Rapid City, water and sewer service is to be provided by Rapid Valley Sanitary District unless other arrangements are mutually approved by both entities.

Upon submittal of a Development Engineering Plan application, a water and sewer system analysis, calculations and design in accordance with the Infrastructure Design Criteria Manual must be submitted for review and approval. Pursuant to the existing service agreements between Rapid Valley Sanitary District and the City, water service is to be provided by Rapid Valley Sanitary District unless other arrangements are mutually approved by Rapid Valley Sanitary District and the City.

Drainage: The property is located within the Unnamed Tributary Drainage Basin and the Perrine Drainage Basin. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Unnamed Tributary Drainage Basin Plan and the Perrine Drainage Basin Plan must be submitted for review and approval. In addition, the drainage plan must be in compliance with Chapter 4 of the Infrastructure Design Criteria Manual Storm Water Drainage and Storm Water Quality Manual Post-Construction water quality requirements. An agreement securing maintenance and ownership of the drainage easements must also be recorded and a copy submitted with the Final Plat 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. 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 be entered into with the City for all public improvements, if applicable.

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

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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.