

STAFF REPORT  
January 9, 2014

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**No. 13PL133 - Preliminary Subdivision Plan**

**ITEM 8**

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GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
AGENT	Dream Design International, Inc.
PROPERTY OWNER	SSST, LLC
REQUEST	<b>No. 13PL133 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	A portion of the SE1/4 of the SW1/4 less Lot H3R, less Elks Crossing and less right-of-way; the NE1/4 of the SW1/4 less Plum Creek Subdivision, less Elks Crossing and less right-of-way of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 6 thru 21 of Block 7, Lots 16 thru 29 of Block 9 and Vinecliff Drive right-of-way of Elks Crossing
PARCEL ACREAGE	Approximately 6.3 acres
LOCATION	East of Marlin Drive, north of East Minnesota Street
EXISTING ZONING	Medium Density Residential District (Planned Development Designation) - Low Density Residential District 2 (Planned Development Designation)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential District 2 (Planned Development)
South:	General Agricultural District (Planned Development)
East:	Low Density Residential District 2 (Planned Development)
West:	Medium Density Residential District (Planned Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	December 12, 2013
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

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RECOMMENDATION:

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

1. Prior to submittal of a Development Engineering Plan application, redlined comments shall be addressed or an Exception to the Infrastructure Design Criteria Manual or the Standard Specifications, as applicable, shall be submitted for review and approval. The redlined comments and/or copies of the approved Exceptions shall be submitted with the Development Engineering Plan application;
2. Prior to approval of the Development Engineering Plan application, 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 and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
3. Prior to submittal of the Development Engineering Plan application, the Elks Crossing Drainage Report dated December 17, 2008 shall be updated to address any conditions that may have changed since the report was completed. If no conditions have changed to warrant a revision of the report, indicate as such. The Design Report shall be signed and sealed by a professional engineer;
4. 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;
5. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
6. Prior to submittal of a Final Plat application, the Infrastructure Development Partnership Fund payment shall be paid, if applicable. In addition, a copy of the receipt verifying payment shall be submitted with the Final Plat application;
7. Upon submittal of a Final Plat application, a covenant agreement securing maintenance of the rear drainage channel located on proposed Lots 16 through 29 of Block 9 shall be submitted for recording with the Final Plat document;
8. 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,
9. 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 30 lots as a part of the Elks Crossing residential development. The lots range in size from 7,733 square feet to 11,284 square feet and are identified as single family residential lots on the Elks Crossing Master Plan.

The property is located approximately 200 feet east of the intersection of Duckhorn Street and East Minnesota Street, on the north side of East Minnesota Street. Currently, the property is void of any structural development.

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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 Plat and has noted the following considerations:

Zoning: The property is currently zoned Low Density Residential II District with a Planned Development Designation and Medium Residential District with a Planned Development Designation. The applicant should be aware that a Final Planned Development must be submitted for review and approval prior to issuance of a building permit.

Drainage: The City has previously reviewed and approved the Elks Crossing Drainage Report dated December 17, 2008 which included this property. However, reports expire after two years requiring that they be updated to address any conditions that may have changed since the report was completed. As such, prior to submittal of the Development Engineering Plan application, the Elks Crossing Drainage Report must be updated to address any changed conditions. If no conditions have changed to warrant a revision of the report, indicate as such. The Design Report must be signed and sealed by a professional engineer.

A major drainage easement was previously dedicated via a miscellaneous document securing a 20 foot wide rear drainage channel along the rear lot lines between Duckhorn Street and Vinecliff Drive. Upon submittal of a Final Plat application, a covenant agreement securing maintenance of the rear drainage channel must be submitted for recording with the Final Plat document.

Construction Plans: The applicant has submitted preliminary construction plans for the street and utility improvements associated with this phase of the Elks Crossing Development. Other than redlined comments, the plans are in compliance with City design standards. Prior to submittal of a Development Engineering Plan application, redlined comments must be addressed or an Exception to the Infrastructure Design Criteria Manual or the Standard Specifications, as applicable, must be submitted for review and approval. The redlined comments and/or copies of the approved Exceptions must be submitted with the Development Engineering Plan application.

Traffic Operations Evaluation: A Traffic Impact Study was previously submitted for Elks Crossing which included this phase of the development. The build-out of this proposed phase does not trigger any roadway improvements. Please note that a traffic light is planned for the East Minnesota Street and Elk Vale Road intersection when traffic counts warrant the improvement.

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

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public improvements. Staff recommends that prior to submittal of a Final Plat application or prior to commencing construction, whichever occurs first, 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 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.