

STAFF REPORT  
May 7, 2015

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**No. 15PL033 - Preliminary Subdivision Plan**

**ITEM 2**

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GENERAL INFORMATION:

|                                |  |
|--------------------------------|--|
| APPLICANT                      | Dream Design International, Inc.   |
| AGENT                          | Dream Design International, Inc.   |
| PROPERTY OWNER                 | SSST LLC   |
| REQUEST                        | <b>No. 15PL033 - Preliminary Subdivision Plan</b>  |
| EXISTING<br>LEGAL DESCRIPTION  | A portion of the SW1/4 of the SW1/4, less Elks Crossing, Less Lot H3, Less right-of-way, located in Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED<br>LEGAL DESCRIPTION  | Proposed Lots 1 thru 25 of Block 1, Lots 1 thru 12 of Block 2, Lots 1 thru 6 of Block 3 of Elk Crossing  |
| PARCEL ACREAGE                 | Approximately 15.680 acres   |
| LOCATION                       | Southeast of the intersection of Marlin Drive and Minnesota Street   |
| EXISTING ZONING                | General Commercial District (Planned Development Designation)  |
| FUTURE LAND USE<br>DESIGNATION | Mixed Use Commercial   |
| SURROUNDING ZONING             |  |
| North:                         | Medium Density Residential District (Planned Development)  |
| South:                         | Limited Agricultural District (Pennington County)  |
| East:                          | General Commercial District (Planned Development Designation)  |
| West:                          | General Commercial District (Planned Development Designation)  |
| PUBLIC UTILITIES               | City sewer and water   |
| DATE OF APPLICATION            | April 10, 2015   |
| REVIEWED BY                    | Vicki L. Fisher / Dan Kools  |

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, construction plans for Street A and Street B shall be submitted for review and approval showing the street(s) 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 Exception(s) shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, construction plans for Street C 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. In addition, the cul-de-sac bulb shall be located within a minimum 104 diameter right-of-way and constructed with a minimum 84 foot diameter paved surface or Exception(s) shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application.
3. Upon submittal of a Development Engineering Plan application, construction plans for Street D shall be submitted for review and approval showing the street located within a minimum 50 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the cul-de-sac bulb shall be located within a minimum 104 diameter right-of-way and constructed with a minimum 84 foot diameter paved surface or Exception(s) shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application;
4. Prior to submittal of a Development Engineering Plan application, the section line highway located along the south lot line shall be vacated or construction plans shall be submitted with the Development Engineering Plan application showing the section line highway constructed with 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 Exception 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. The water main located in Street A shall be upsized from an 8 inch to a 12 inch main pursuant to the Utility System Master Plan with the City paying the oversize costs. Proposed fire hydrants shall be located within the street right-of-way or utility easements shall be secured as needed;
6. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The sanitary sewer flows shall be diverted north to Fieldstone Drive since the East Minnesota Street main is not complete and dead ends west of Vinecliff Drive. A design for an interim diversion shall be provided if one does not exist. Utility easements shall be secured as needed;
7. Prior to submittal of a Final Plat application, the plat document shall be revised to include the existing stormwater facility located east of the proposed plat as a platted lot or a Miscellaneous Easement shall be secured creating a Major Drainage Easement outside of the boundaries of the plat. A copy of the recorded Miscellaneous Easement shall be

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- submitted with the Final Plat application. In addition, ownership and maintenance of the Major Drainage Easement shall be secured and a copy of the recorded document submitted with the Final Plat application. Ownership and maintenance of the rear yard drainage located between Street A and Street B shall also be secured and a copy of the recorded document submitted with the Final Plat application;
8. Prior to submittal of a Development Engineering Plan application, the plans shall be revised to show the proposed storm sewer pipe located between Lots 4 and 5 of Block 3 on one lot and not centered on the common lot line as per Section 3.5.2(5)(c) of the Infrastructure Design Criteria Manual
  9. 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 Registered Professional Engineer;
  10. 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;
  11. Prior to submittal of a Final Plat application, proposed street names shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names;
  12. Prior to submittal of a Final Plat application, the property shall be rezoned from General Commercial District to Low Density Residential II District to allow the proposed residential development;
  13. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if subdivision improvements are required;
  14. 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,
  15. 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 43 residential lots, leaving an unplatted non-transferable balance. The proposed lots are sized 0.20 acres to 0.60 acres and are to be known as Phase Four of Elks Crossing.

The applicant has also submitted a Rezoning request (File #15RZ007) for the property to change the zoning from General Commercial District to Low Density Residential II District. In addition, the applicant has submitted a Rezoning request (File #15RZ009) for 7.27 acres located directly east of this property from General Commercial District to Office Commercial District.

The property is located southeast of the intersection of Marlin Drive and Minnesota Street. Currently, the property is void of any structural development.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the

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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: As previously noted, the applicant has submitted a Rezoning request to change the zoning designation of the property from General Commercial District to Low Density Residential District II. Prior to submittal of a Final Plat application, the Rezoning request must be approved to allow the proposed residential development as shown on the proposed plat.

The applicant has also submitted a site plan showing proposed building setbacks. Please note that the site plan identifies a 20 foot setback along East Minnesota Street. However, East Minnesota Street is a Minor Arterial Street requiring a minimum 25 foot setback. Future development will require that the minimum setback requirements be met.

Street A and Street B: Street A and Street B are classified as a local street requiring that they be 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. Upon submittal of a Development Engineering Plan application, construction plans must be submitted as identified or an Exception must be obtained to waive the requirement(s). If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Street C: Street C is a cul-de-sac street and classified as a local street requiring that it be 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. In addition, the cul-de-sac bulb must be located within a minimum 104 foot diameter right-of-way and constructed with a minimum 84 foot diameter paved surface. Upon submittal of a Development Engineering Plan application, construction plans must be submitted as identified or an Exception must be obtained to waive the requirement(s). If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Street D: Street D is a cul-de-sac street and classified as a lane place street requiring that it be located within a minimum 50 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the cul-de-sac bulb must be located within a minimum 104 foot diameter right-of-way and constructed with a minimum 84 foot diameter paved surface. Upon submittal of a Development Engineering Plan application, construction plans must be submitted as identified or an Exception must be obtained to waive the requirement(s). If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

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Section Line Highway: A section line highway is located along the south lot line of the property. The section line highway is classified as a local street requiring that it be 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. Upon submittal of a Development Engineering Plan application, construction plans must be submitted as identified or an Exception must be obtained to waive the requirement(s). If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

The applicant should be aware that if the section line highway is not vacated, a limited building area will exist on the adjacent lots.

Water: An 8 inch water main is proposed in all the proposed streets. However, the water main in Street A must be upsized to a 12 inch per the Utility System Master Plan. The upsizing will provide for future development and looping. The City will pay for upsizing from the minimum size required. 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 shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. Proposed fire hydrants must be located within the street right-of-way or utility easements must be secured as needed.

Sewer: An 8 inch sanitary sewer main is proposed in all the streets with two proposed connections to the existing main located in East Minnesota Street. Sanitary sewer flows from the proposed development to a 15 inch main located in East Minnesota Street. The flows need to be diverted north to Fieldstone Drive since the East Minnesota Street main is not complete and dead ends east of Vinecliff Drive. The applicant should confirm if a diversion exists in the manhole at the intersection of East Minnesota Street and Fieldstone Drive. If a diversion does not exist, a design for an interim diversion needs to be provided. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval as identified. In addition, utility easements must be secured as needed.

Drainage: Stormwater quantity and quality for this development has been addressed in a report submitted with a grading permit application. There is an existing stormwater facility east of the proposed plat to accommodate the drainage from the proposed development. In addition, a Major Drainage Easement will be located in the rear yards of lots located between Street A and Street B. Prior to submittal of a Final Plat application, the plat document must be revised to include the existing stormwater facility located east of the proposed plat as a platted lot or a Miscellaneous Easement must be secured creating a Major Drainage Easement outside of the boundaries of the plat. A copy of the recorded Miscellaneous Easement must be submitted with the Final Plat application. In addition, ownership and maintenance of the Major Drainage Easement must be secured and a copy of the recorded document submitted with the Final Plat application. Ownership and maintenance of the rear yard drainage located between Street A and Street B must also be secured and a copy of the recorded document submitted with the Final Plat application.

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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 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.