

STAFF REPORT
November 25, 2015

No. 15PL094 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT	Merlin Stromer
AGENT	Ron Davis - Davis Engineering, Inc.
PROPERTY OWNER	Merlin Stromer Joint Living Trust
REQUEST	No. 15PL094 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	That part of the NW1/4 south of railroad right-of-way less River Ranch Addition; that part of the S1/2 of the NE1/4 south of the railroad right-of-way; the SW1/4 of the SW1/4: the E1/2 of the SW1/4 less Back Country Subdivision and Less right-of-way; the W1/2 of the SE1/4 less Back Country Subdivision and less right-of-way; the NE1/4 of the SE1/4 less the south 198 feet less Lot 1 of Lovell Subdivision and less right-of-way, Tract C of River Ranch Addition, all located in Section 29, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Tracts E, F, G, H and J of River Ranch Addition
PARCEL ACREAGE	Approximately 350.15 acres
LOCATION	South SD Highway 44 and east of South Airport Road
EXISTING ZONING	General Agricultural District (Pennington County - Low Density Residential District (Pennington County)
FUTURE LAND USE DESIGNATION	Agriculture and Rural Residential
SURROUNDING ZONING	
North:	General Agricultural District (Pennington County - Low Density Residential District (Pennington County)
South:	General Agricultural District (Pennington County - Low Density Residential District (Pennington County)- General Commercial
East:	Limited Agricultural District (Pennington County)
West:	General Agricultural District (Pennington County - Low Density Residential District (Pennington County)
PUBLIC UTILITIES	Private on-site water and wastewater

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DATE OF APPLICATION October 21, 2015

REVIEWED BY Vicki L. Fisher / Nicole Lecy

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. Upon submittal of a Development Engineering Plan application, construction plans for S.D. Highway 44 shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains 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, construction plans for S. Airport Road shall be submitted for review and approval. In particular, the construction plans shall show the street 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 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, the applicant shall clarify if the dedication of right-of-way for S. Airport Road includes a portion of Tract A of River Ranch Addition. If so, a signature block shall be added to the plat for the owner of the property;
6. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway located along the south lot line shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water and with one additional foot of right-of-way 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;
7. Upon submittal of a Development Engineering Plan application, construction plans for a cul-de-sac bulb at the western terminus of Back Country Road shall be submitted for review and approval. In particular, the construction plans shall show the bulb located in a minimum 118 foot diameter right-of-way and constructed with a minimum 96 foot

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- diameter paved surface, curb, gutter, sidewalk, streetlight 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;
8. Upon submittal of a Development Engineering Plan application, a complete site plan shall be submitted for review and approval showing the location of all structures, wells, water service lines, on-site wastewater treatment systems, drain fields, existing and proposed access/approach locations. In addition, the site plan shall identify the use of each structure to ensure compliance with the Pennington County Zoning Ordinance. Prior to approval of the Development Engineering Plan application, any land use issues shall be resolved with Pennington County;
 9. Upon submittal of a Development Engineering Plan application, water and sewer plans prepared by a Registered Professional Engineer showing the extension of mains and service lines shall be submitted for review and approval as per the Infrastructure Design Criteria Manual 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. If a private water system is utilized, then an on-site water plan prepared by a Professional Engineer shall be submitted for review and approval. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided at all proposed lots. If individual on-site wastewater systems are utilized, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;
 10. Upon submittal of a Development Engineering Plan application, a drainage plan shall be submitted for review and approval if subdivision improvements are required. The drainage plan shall also demonstrate that there are no existing drainage issues on the proposed lots. In addition, the plat document shall be revised to provide drainage easements as necessary;
 11. Upon submittal of a Development Engineering Plan application, geotechnical analysis and pavement design shall be submitted for review and approval if applicable;
 12. 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 and a grading plan shall be submitted for review and approval if subdivision improvements are required;
 13. Upon submittal of a Development Engineering Plan application, a building envelope outside of the Federally designated floodway shall be demonstrated on Tract J or the plat document must be revised to identify the floodway issue located on Tract J, noting that it is unbuildable. In addition, an agreement shall be submitted for review and approval securing maintenance and ownership of Tract J. The approved agreement shall be recorded with the Final Plat document;
 14. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to create side lot lines that are substantially perpendicular as per Chapter 16.16.030.B of the Rapid City Municipal Code;
 15. 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;
 16. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 17. Prior to submittal of a Final Plat application, the plat document shall be revised to show the Tracts as Lots;
 18. Prior to submittal of a Final Plat application, the plat document shall be revised to include

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the following statement: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install a total wastewater containment system for each lot. Prior to installation of such system, plans stamped by a Registered Professional Engineer shall be submitted and approved by the City of Rapid City or Pennington County, whoever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whomever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified Professional Engineer to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations.";

19. Prior to submittal of a Final Plat application, the plat document shall be revised to secure drainage easements for the Lone Tree Ditch and Southside Irrigation Ditch;
20. Prior to submittal of a Final Plat application, the plat document shall be revised to show the right-of-way delineation for Back Country Road and the existing lots along the south side of the street;
21. Prior to submittal of a Final Plat application, the plat document shall be revised to address the redline comments provided by the Register of Deed's Office and the Public Works Department;
22. Upon submittal of a Final Plat application, documentation shall be submitted for review and approval demonstrating that all existing on-site wastewater treatment systems are permitted through the City/Pennington County;
23. 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,
24. 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 application to subdivide 320.61 acres creating 5 tracts to be known as Tracts E, F, G, H and J of River Ranch Addition. The tracts will range in size from 3.02 acres to 105.74 acres.

On February 6, 2015, the City staff provided the applicant with review comments for a Layout Plan to subdivide the property as shown on this application.

The property is located outside of the City limits but within the City's three mile platting jurisdiction. In particular, the property is located south of S.D. Highway 44 and east of South Airport Road. There are several structures currently located on the property.

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.

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STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Zoning: The property is currently zoned General Agriculture District and Low Density Residential District by Pennington County. To date, a complete site plan showing the location of all existing structures and identifying the use of each structure has not been submitted to ensure compliance with the Pennington County Zoning Ordinance. It appears that a structure is located on proposed Tract J, a 3.02 acre tract. Platting the property as proposed and dedicating the additional right-of-way that is required may create setback issues with the existing structure. In addition, the current zoning of proposed Tract J requires a minimum 40 acre lot size. Without a complete site plan, staff is unable to identify all of the potential land use issues. As such, upon submittal of a Development Engineering Plan application, a complete site plan must be submitted for review and approval showing the location of all structures, wells, water service lines, on-site wastewater treatment systems, drain fields, existing and proposed access/approach locations. In addition, the site plan must identify the use of each structure to ensure compliance with the Pennington County Zoning Ordinance. Prior to approval of the Development Engineering Plan application, all land use issues must be resolved with Pennington County.

S. D. Highway 44: S. D. Highway 44 is located along the north lot line of the property and is classified as a principal arterial street on the City's Major Street Plan. Pursuant to the Infrastructure Design Criteria Manual, a principal arterial street must be located within 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, S. D. Highway 44 is located within a 150 foot wide right-of-way with a varying pavement width of 48 feet to 28 feet. Upon submittal of a Development Engineering Plan application, construction plans for S.D. Highway 44 must be submitted for review and approval as identified 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.

S. Airport Road: S. Airport Road is located along west lot line of the property, partially within a section line highway, and is classified as a principal arterial street on the City's Major Street Plan. Pursuant to the Infrastructure Design Criteria Manual, a principal arterial street must be located within 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, S. Airport Road is located within a varying right-of-way width of 60 feet to 100 feet and constructed with an approximate 26 foot side dirt/gravel road. The southern portion of the section line highway is undeveloped. Upon submittal of a Development Engineering Plan application, construction plans for S. Airport Road must be submitted for review and approval as identified 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;

Back Country Road: Back Country Road is a cul-de-sac street terminating at the east lot line of proposed Tract C. Upon submittal of a Development Engineering Plan application, construction plans for a cul-de-sac bulb at the western terminus of Back Country Road must be submitted for review and approval. In particular, the construction plans must show the

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bulb located in a minimum 118 foot diameter right-of-way and constructed with a minimum 96 foot diameter paved surface, curb, gutter, sidewalk, streetlight conduit, water 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;

Section Line Highway: A section line highway is located along the south lot line and is classified as a collector street on the City's Major Street Plan requiring that the street be located within a minimum 68 foot wide right-of-way and constructed with a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, the section line highway is unimproved. As such, upon submittal of a Development Engineering Plan, construction plans showing the street as identified must be submitted for review and approval 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. In addition, the plat document must be revised to show the dedication of one additional foot of right-of-way.

Floodplain: Portions of the proposed platted area are located within the 100 year Federally designated floodplain, including the floodway. The applicant should be aware that any development on the property must abide by all Flood Area Construction Regulations and may require a Floodplain Development Permit

It appears that proposed Tract J is located within the floodway which does not allow any structural development. Chapter 16.16.030 of the Rapid City Municipal Code states that the lot arrangement shall take into account topography or other conditions, so that there will be no issues in securing building permits to build on all lots. As such, upon submittal of a Development Engineering Plan application, a building envelope outside of the Federally designated floodway must be demonstrated on Tract J or the plat document must be revised to identify the floodway issue located on Tract J, noting that it is unbuildable. In addition, an agreement must be submitted for review and approval securing maintenance and ownership of Tract J. The approved agreement must be recorded with the Final Plat document.

Irrigation Ditch: The Lone Tree Ditch and the Southside irrigation Ditch currently run through the property. As such, the Pennington County Highway Department has requested that prior to submittal of a Final Plat application, the plat document be revised to secure drainage easements for the Lone Tree Ditch and Southside Irrigation Ditch.

Utilities: The proposed platted area is located outside of the City's Tier 1 infrastructure boundary. There are no public water and/or sewer mains in any of the adjacent right(s)-of-way. The applicant has indicated that the property will be served by individual private on-site water and wastewater systems. It appears that a well and two on-site wastewater systems currently exist on proposed Tract E to serve existing development located on the property. Upon submittal of a Development Engineering Plan application, water and sewer plans prepared by a Registered Professional Engineer showing the extension of mains and service lines must be submitted for review and approval as per the Infrastructure Design Criteria Manual 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. If a private water system is utilized, then an on-site water plan prepared by a Professional Engineer must be submitted for review and approval. In addition, the water

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plans must demonstrate that adequate fire and domestic flows are being provided at all proposed lots. If individual on-site wastewater systems are utilized, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval. Upon submittal of a Final Plat application, documentation must be submitted for review and approval demonstrating that all existing on-site wastewater treatment systems are permitted through the City/Pennington County.

Since a large portion of the property is located within the Federally designated floodplain, including the floodway, the plat document must be revised to include the following statement: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install a total wastewater containment system for each lot. Prior to installation of such system, plans stamped by a Registered Professional Engineer shall be submitted and approved by the City of Rapid City or Pennington County, whoever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whoever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified Professional Engineer to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations."

Lot Configuration: Chapter 16.16.030.B of the Rapid City Municipal Code states that side lot lines shall be substantially perpendicular. The current lot layout does not comply with this requirement. Any future subdivision of the property or future development of the proposed lots will be problematic due to the proposed configuration. As such, upon submittal of a Development Engineering Plan application, the plat document must be revised to create side lot lines that are substantially perpendicular as per Chapter 16.16.030.B of the Rapid City Municipal Code.

Drainage: Upon submittal of a Development Engineering Plan application, a drainage plan must be submitted for review and approval if subdivision improvements are required. The drainage plan must also demonstrate that there are no existing drainage issues on the proposed lots. In addition, the plat document must be revised to provide drainage easements as necessary.

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 if subdivision improvements are 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

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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.