

STAFF REPORT
February 25, 2016

No. 16PL010 - Preliminary Subdivision Plan

GENERAL INFORMATION:

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| APPLICANT | Mavis Madison |
| AGENT | Jeff Howe - Howe Land Surveying |
| PROPERTY OWNER | Stanley C. Madison Trust |
| REQUEST | No. 16PL010 - Preliminary Subdivision Plan |
| EXISTING LEGAL DESCRIPTION | The unplatted balance of the SE1/4 of the NW1/4 Less Lots H1, H2, H3 and Less Lot C of Section 31, T2N, R7E, BHM, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Proposed Lots 1 and 2 of Davis Meadows Subdivision |
| PARCEL ACREAGE | Approximately 18.811 acres |
| LOCATION | At the intersection of Wide View Drive and Nemo Road |
| EXISTING ZONING | General Agricultural District (Pennington County) |
| FUTURE LAND USE DESIGNATION | Forest Conservation |
| SURROUNDING ZONING | |
| North: | Suburban Residential District (Pennington County) |
| South: | Suburban Residential District (Pennington County) |
| East: | General Agricultural District (Pennington County) |
| West: | General Agricultural District (Pennington County) |
| PUBLIC UTILITIES | Private on-site water and wastewater |
| DATE OF APPLICATION | January 29, 2016 |
| 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, the plat document shall be revised to address redlined comments. In addition, the redlined comments shall be returned 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

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- 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 Nemo Road shall be submitted for review and approval showing the street located in a minimum 100 foot wide right-of-way and constructed with a 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. The right-of-way shall be dedicated such that 50 feet of right-of-way will exist from the existing centerline of the street towards the proposed platted property;
 4. Upon submittal of a Development Engineering Plan application, construction plans for Wide View Drive shall be submitted for review and approval showing the street constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and 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, a drainage plan shall be submitted for review and approval addressing subdivision improvements, if required, and identifying the 100 year storm boundary. In addition, the plat document shall be revised to provide drainage easements, including the area of the 100 year storm boundary;
 6. 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;
 7. Upon submittal of a Development Engineering Plan application, water 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 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. If a private well is proposed to be utilized, then well data from an existing well or a nearby well shall be submitted to show that a well in this area can provide flows sufficient for development;
 8. Upon submittal of a Development Engineering Plan application, 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 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. Since a private on-site wastewater system is proposed to be utilized, the following note shall be placed on the plat: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install an on-site wastewater treatment system for each lot. Prior to installation of such system, plans prepared by a qualified person shall be submitted and approved as required by the City of Rapid City or Pennington County, whomever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater

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- 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 person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations”;
9. Upon submittal of a Development Engineering Plan application, access to both of the proposed lots shall be identified. If access to Lot 2 is provided from an access easement extending from Sun Ridge Road across an adjacent property, then a copy of the recorded access easement shall be submitted with the Final Plat application;
 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. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 12. Prior to submittal of a Final Plat application, the plat title shall be revised to include “(formerly a portion of SE1/4NW1/4 of Section 31, T2N, R7E)”;
 13. Prior to submittal of a Final Plat application, the property shall be rezoned by Pennington County to allow a 1.877 acre lot and a 16.934 acre lot in the General Agriculture District or a lot size Variance shall be obtained from the Pennington County Zoning Board of Adjustment to reduce the minimum lot size requirement in the General Agriculture District from 40 acres to 1.877 acres and 16.934 acres, respectively;
 14. Upon submittal of a Final Plat application, a Covenant Agreement shall be submitted for recording at the Register of Deed’s Office to ensure that residential fire sprinkler protection is designed and installed as per NFPA 13D throughout all new residential structures or the applicant shall demonstrate that fire flows are being provided;
 15. Upon submittal of a Final Plat application, a Covenant Agreement or some other document securing ownership and maintenance of Lot 2 shall be submitted for recording at the Register of Deed’s Office if it is determined that a buildable area does not exist on the proposed lot;
 16. 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,
 17. 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 create a 1.877 acre lot and a 16.934 acre lot. The lots are to be known as Lots 1 and 2 of Davis Meadows Subdivision.

The property is located outside of the City limits but within the City’s three mile platting jurisdiction. In particular, the property is located north and west of the intersection of Nemo Road and Wide View Drive. 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

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application.

STAFF REVIEW:

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

Zoning: The property is currently zoned General Agriculture District by Pennington County which requires a minimum 40 acre lot size. As such, prior to submittal of a Final Plat application, the property must be rezoned by Pennington County to allow the proposed lot size(s) or a lot size Variance must be obtained from the Pennington County Zoning Board of Adjustment to reduce the minimum lot size requirement in the General Agriculture District from 40 acres to 1.877 acres and 16.934 acres, respectively

Nemo Road: Nemo Road is located along the west and south 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, Nemo Road is located within a varying right-of-way width of 72 feet to 105 feet and constructed with a 28 foot wide paved surface with ditches for drainage. Upon submittal of a Development Engineering Plan application, construction plans for Nemo Road must be submitted for review and approval showing the street located in a minimum 100 foot right-of-way and constructed 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. The right-of-way must be dedicated such that 50 feet of right-of-way will exist from the existing centerline of the street towards the proposed platted property.

Wide View Drive: Wide View Drive extends east and north from Nemo Road separating the property into two parcels. Wide View Drive 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. Currently Wide View Drive is located in an 80 foot wide right-of-way and constructed with a 20 foot wide paved surface with ditches for drainage. Upon submittal of a Development Engineering Plan application, construction plans for Wide View Drive 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.

Access: Based on existing topography, access to the two proposed lots from the adjacent roadways will be problematic. The Pennington County Highway Department has noted that even though Nemo Road might serve as access to Lot 2, access to Lot 1 will probably be from Sun Ridge Road which will require that an access easement be secured through an adjacent property to the north or east.

Staff recommends that upon submittal of a Development Engineering Plan application, access to both of the proposed lots be identified. If access to Lot 2 is provided from an access easement on an adjacent property extending from Sun Ridge Road, then a copy of

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the recorded access easement must be submitted with the Final Plat application.

Drainage: Upon submittal of a Development Engineering Plan application, a drainage plan must be submitted for review and approval addressing subdivision improvements, if required, and identifying the 100 year storm boundary. In addition, the plat document must be revised to provide drainage easements, including the area of the 100 year storm boundary.

Due to area of the 100 year storm boundary located on proposed Lot 2, it does not appear that a buildable area exists on the proposed lot. As such, upon submittal of a Final Plat application, a Covenant Agreement or some other document securing ownership and maintenance of Lot 2 must be submitted for recording at the Register of Deed's Office if it is determined that a buildable area does not exist on the proposed lot.

Water: The property is not located within a designated sanitary district or within the City's Urban Systems boundary. In addition, there are no water mains existing in the area. However, upon submittal of a Development Engineering Plan application, water 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 an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application. If a private well is proposed to be utilized, then well data from an existing well or a nearby well must be submitted to show that a well in this area can provide flows sufficient for development.

The Infrastructure Design Criteria Manual requires that fire flows be provided at each residential lot. As an alternative to providing fire flows, a Covenant Agreement can be submitted for recording at the Register of Deed's Office to ensure that residential fire sprinkler protection is designed and installed as per NFPA 13D throughout all new residential structures.

Sewer: As noted above, the property is not located within a designated sanitary district or within the City's Urban Systems boundary. In addition, there are no sewer mains existing in the area. However, upon submittal of a Development Engineering Plan application, 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 an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application. Since a private on-site wastewater system is proposed to be utilized, the following note must be placed on the plat: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install an on-site wastewater treatment system for each lot. Prior to installation of such system, plans prepared by a qualified person shall be submitted and approved as required by the City of Rapid City or Pennington County, whomever 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 person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations."

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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 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 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.