

STAFF REPORT  
November 23, 2016

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**No. 16PL111 - Preliminary Subdivision Plan**

**ITEM 7**

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GENERAL INFORMATION:

APPLICANT	Dakota Land and Cattle Company, LLC
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Dakota Land and Cattle Company, LLC
REQUEST	<b>No. 16PL111 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	The balance of Tract B of the Ranch of Black Gap, located in the E1/2 of the SE1/4 of Section 8, T1S, R8E, BHM and the W1/2 of the SW1/4 of Section 9, T1S, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Tract B1 and Tract B2 of the Ranch at Back Gap
PARCEL ACREAGE	Approximately 53.28 acres
LOCATION	South of the intersection of Ambush Ranch Road and Wildhorse Court
EXISTING ZONING	Planned Unit Development ( Pennington County)
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	Planned Unit Development ( Pennington County)
South:	Limited Agricultural District (Pennington County)
East:	Planned Unit Development ( Pennington County)
West:	Limited Agricultural District (Pennington County)
PUBLIC UTILITIES	Community water/Private on-site wastewater
DATE OF APPLICATION	October 28, 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 approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are

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- 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;
2. Upon submittal of a Development Engineering Plan application, construction plans for S. D. Highway 79 shall be submitted for review and approval showing the construction of curb, gutter, sidewalk, street light conduit, sewer and dual water or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
  3. Upon submittal of a Development Engineering Plan application, construction plans for that portion of the east-west section line highway located in the City's platting jurisdiction shall be submitted for review and approval. In particular, the construction plans shall show the street constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the construction plans shall show the dedication of a 26 foot wide right-of-way, half of the required minimum 52 foot wide right-of-way, or an Exception shall be obtained or the section line highway shall be vacated by Pennington County. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. Vacating the section line highway shall require the signature of the adjacent property owner;
  4. Upon submittal of a Development Engineering Plan application, construction plans for Ambush Ranch Road located within the City's three mile platting jurisdiction shall be submitted for review and approval showing the street constructed with 4 additional feet of pavement, 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 document 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. As an alternative to providing fire flows, 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 and/or commercial structures upon submittal of a Final Plat application;
  6. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. If an on-site wastewater system is being proposed, then a note shall be placed on the plat for the design of any future on-site wastewater treatment system(s);
  7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, major

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- drainage easement(s) shall be dedicated to secure the 100 year storm event;
  8. 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;
  9. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  10. Prior to submittal of a Final Plat application, the plat document shall be revised to address redline comments. In addition, the redline comments shall be returned with the Final Plat application;
  11. Prior to submittal of a Final Plat application, 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 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";
  12. Prior to submittal of a Final Plat application, that portion of the proposed plat located outside of the City's three mile platting jurisdiction shall be reviewed and approved by Pennington County;
  13. 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,
  14. 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 plat 53.28 acres to create two tracts. The tracts are 3.18 acres and 50.10 acres in size, respectively, and are to be known as Tract B1 and Tract B2 of the Ranch at Black Gap.

The property is located east of S.D. Highway 79, south of the intersection of Ambush Ranch Road and Wildhorse Court. 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:

**Three Mile Platting Jurisdiction:** All of Tract B1 and approximately ¼ of proposed Tract B2 is

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located within the City's three mile platting jurisdiction. The balance of the property is located in Pennington County's platting jurisdiction. As such, prior to submittal of a Final Plat application, that portion of the proposed plat located outside of the City's three mile platting jurisdiction must be reviewed and approved by Pennington County

Zoning: The property is currently zoned Planned Unit Development by Pennington County. The Pennington County Planning Department has indicated that the proposed plat is in compliance with the Planned Unit Development.

S.D. Highway 79: S.D. Highway 79 is located along the west lot line of the property and is classified as a principal arterial street on the City's Major Street Plan requiring that the street be 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. Currently, S.D. Highway 79 is located in a 300 foot wide right-of-way and constructed with a four lane divided paved surface. Upon submittal of a Development Engineering Plan application, construction plans for S. D. Highway 79 must be submitted for review and approval showing the construction of curb, gutter, sidewalk, street light conduit, sewer and dual water or an Exception must be obtained. If an Exception is obtained a copy of the approved document must be submitted with the Development Engineering Plan application

Section Line Highway: An unimproved section line highway is located along the south lot line of the property and is classified as a local street. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway located in the City's three mile platting jurisdiction must be submitted for review and approval showing the street constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the construction plans must show the dedication of a 26 foot wide right-of-way, half of the required minimum 52 foot wide right-of-way, or an Exception must be obtained or the section line highway must be vacated by Pennington County. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application. Vacating the section line highway requires the signature of the adjacent property owner.

Ambush Ranch Road: Ambush Ranch Road is located along the north lot line of the property and is classified as a local street requiring that it be located in 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, Ambush Road is located in a 66 foot wide right-of-way and constructed with a 22 foot wide paved surface, ditches for drainage and street lights along a portion of the road. Upon submittal of a Development Engineering Plan application, construction plans for Ambush Ranch Road located within the City's three mile platting jurisdiction must be submitted for review and approval showing the street constructed with 4 additional feet of pavement, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception must be obtained. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Sidewalks: Building permits will be issued by Pennington County for any future development of the two proposed lots. As such, sidewalks must be provided within the three mile platting jurisdiction as a part of the subdivision improvements unless an Exception is obtained

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waiving the requirement.

Drainage: Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code must be submitted for review and approval for the proposed subdivision improvements. The drainage report must address storm water quantity control and storm water quality treatment. In addition, major drainage easement(s) must be dedicated to secure the 100 year storm event.

Water: The Ranch at Black Gap is currently served by a private water system. Upon submittal of a Development Engineering Plan application, a design report must be submitted demonstrating that the water mains are adequate to meet estimated domestic flows and required fire flows. If a well is proposed for water service to the proposed tracts, then well testing data must be provided demonstrating that potable water is present. As an alternative to providing fire flows, a Covenant Agreement must 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 and/or commercial structures upon submittal of a Final Plat application.

Sewer: The Ranch at Black Gap is currently served by on-site wastewater treatment systems. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval. If an on-site wastewater system is being proposed, then a note must be placed on the plat for the design of any future on-site wastewater treatment system(s).

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 must be entered into with the City for all public improvements.

Certificate of Highway or Street Authority: The Pennington County Highway Department has indicated that the streets within the Ranch at Black Gap are located within the Ranch at Black Gap Road District. As such, in addition to the State's signature on the plat document, the Certificate of Highway or Street Authority must be signed by an authorized agent with the Ranch at Black Gap Road District.

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Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.