

STAFF REPORT  
May 24, 2018

---

**No. 18PL031 - Preliminary Subdivision Plan**

**ITEM 5**

---

GENERAL INFORMATION:

APPLICANT	Ronald J. and Cheryl A. Loftus
AGENT	Jeff Howe - Howe Land Surveying
PROPERTY OWNER	Ronald J. and Cheryl A. Loftus
REQUEST	<b>No. 18PL031 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	The NE1/4 of the NW1/4, less right-of-way, less Loftus Subdivision and less 100 feet by 150 feet tract in the NW corner of Section 17, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1 of Jack's View Subdivision
PARCEL ACREAGE	Approximately 26.914 acres
LOCATION	3700 Red Rock Canyon Road
EXISTING ZONING	Suburban Residential District (Pennington County)
FUTURE LAND USE DESIGNATION	Forest Conservation
SURROUNDING ZONING	
North:	Flood Hazard District - Park Forest District
South:	Suburban Residential District (Pennington County)
East:	Park Forest District
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Private well and on-site wastewater system
DATE OF APPLICATION	April 27, 2018
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway shall be submitted for review and approval showing the construction of a street with a minimum 26 foot wide paved surface, curb, gutter, street light conduit,

STAFF REPORT  
May 24, 2018

---

**No. 18PL031 - Preliminary Subdivision Plan**

**ITEM 5**

---

- water and sewer or an Exception shall be obtained or the section line highway shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, construction plans for Red Rock Canyon Road 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 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;
  3. Upon submittal of a Development Engineering Plan application, an Engineering Report per Chapter 1.15 of the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required. The drainage plan shall address storm water quantity control and storm water quality treatment, in conformance with the Infrastructure Design Criteria Manual and Rapid City Municipal Code. In addition, the plat document shall be revised to provide drainage easements as necessary;
  4. 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;
  5. 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;
  6. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  7. Prior to submittal of a Final Plat application, the property shall be annexed into the City limits of Rapid City pursuant to Chapter 16.04.090.B of the Rapid City Municipal Code;
  8. Prior to submittal of a Final Plat application, the plat title shall be revised to read "formerly the balance of the NE1/4 of the NW1/4 of Section 17, T1N, R7E";
  9. Prior to submittal of a Final Plat application, the applicant shall confirm the location of the driveway serving as access to the adjacent property (Lot 3R) and adjust the driveway easement as shown on the plat to ensure that the driveway is located within the easement and extends to the adjacent lot line;
  10. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan with the Rapid City Fire Department;
  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. 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,

STAFF REPORT  
May 24, 2018

---

**No. 18PL031 - Preliminary Subdivision Plan**

**ITEM 5**

---

13. 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 plat an unplatted 26.914 acre parcel into a residential lot to be known as Lot 1, Jack's View Subdivision. The applicant is proposing to plat the property in order to create a legal description for purposes of transfer. The proposed plat does not increase density since the unplatted property currently exists as a separate parcel.

The property is located approximately 700 feet south of the intersection of Red Rock Canyon Road and Idlewild Court on the north side of Red Rock Canyon Road. Currently, a single family residence is 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.

STAFF REVIEW:

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

Annexation/Zoning: The property is currently located in Pennington County, abutting the City limit boundary along the east lot line. Chapter 16.04.09.B of the Rapid City Municipal Code states that whenever a property is contiguous to Rapid City, the property must be annexed into the City limits prior to approval of a plat. As such, prior to submittal of a Final Plat application, the property must be annexed into the City limits of Rapid City.

Upon annexation, the property will be zoned No Use District. The City's Future Land Use Plan identifies the appropriate use of the property as Forest Conservation which allows large lot single family residences with a minimum lot size of 3 acres. As such, the City will process a Rezoning application in conjunction with the annexation petition to change the zoning of the property from No Use District to Park Forest District. The existing residence is a permitted use in the Park Forest District and the 26.914 acre lot meets the minimum lot size of the district.

Section Line Highway: An east-west section line highway is located along the north lot line of the property. The section line highway 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, sewer and water. Currently, the 66 foot wide section line highway is unimproved. As such, upon submittal of a Development Engineering Plan application, construction plans for the section line highway must be submitted for review and approval showing the construction of a street as identified or an Exception must be obtained or the section line highway must be vacated. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development

STAFF REPORT  
May 24, 2018

---

**No. 18PL031 - Preliminary Subdivision Plan**

**ITEM 5**

---

Engineering Plan application.

Red Rock Canyon Road: Red Rock Canyon Road is located along the southeast portion 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, Red Rock Canyon Road is located in a 66 foot wide right-of-way and constructed with an approximate 20 foot wide paved surface. Upon submittal of a Development Engineering Plan application, construction plans for Red Rock Canyon Road 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, sewer and water 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.

Driveway Easement: A miscellaneous document has been previously recorded securing a driveway easement on this property to provide access to the adjacent property, Lot 3R. However, the easement as shown on the plat document does not extend and/or abut the adjacent property. As such, staff recommends that prior to submittal of a Final Plat application, the location of the driveway be confirmed and the easement as shown on the plat be adjusted to ensure that the driveway is located within the easement and extends to the adjacent lot line.

Water/Sewer: Currently, a well and a septic tank and drainfield are located on the property to serve the existing single family residence. The nearest sanitary sewer, Rapid Canyon Sanitary District, is located over 400 feet from the property. Chapel Lane Water Company is the nearest water source and it is also located over 400 feet from the property. There is no requirement to connect to these utilities. In addition, an on-site wastewater permit has been issued for the existing septic tank and drainfield.

Fire Department: The Rapid City Fire Department has indicated that the property is located in a high wild fire hazard area. The Fire Department has indicated that there are areas of the property that have been mitigated to reduce fire hazard. However, areas of the property still require mitigation. As such, prior to submittal of a Final Plat application, the applicant must enter into a Wild Fire Mitigation Plan with the Rapid City Fire Department for this area of the property.

Drainage: Upon submittal of a Development Engineering Plan application, a grading plan and a drainage plan must be submitted for review and approval if subdivision improvements are required. The drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. If on-site detention is required, then design calculations and details for the detention must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as needed.

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

STAFF REPORT  
May 24, 2018

---

**No. 18PL031 - Preliminary Subdivision Plan**

**ITEM 5**

---

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 a Development Agreement must be entered into with the City for all public improvements if subdivision improvements are required.

Platting Process: If Exceptions are obtained to waive the requirement to improve Red Rock Canyon Road and the section line highway or the section line highway is vacated, then a Development Engineering Plan application is not necessary since subdivision improvements would not be required. Subsequently, the applicant can proceed with the submittal of a Final Plat application. However, the \$250.00 application fee plus \$20.00 per lot that is collected at the time of submittal of a Development Engineering Plan application must be paid as a part of the Final Plat submittal.

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