

STAFF REPORT
August 23, 2018

No. 18PL069 - Preliminary Subdivision Plan

ITEM 4

GENERAL INFORMATION:

APPLICANT	Pete Lien & Sons
AGENT	David Muck - Ferber Engineering Co., Inc.
PROPERTY OWNER	Pete Lien & Sons
REQUEST	No. 18PL069 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	The E1/2 of the SW1/4 of Section 19, T2N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1 of Claire Subdivision
PARCEL ACREAGE	Approximately 5 acres
LOCATION	1,975 feet northwest of the eastern terminus of Hidden Valley Road
EXISTING ZONING	General Agricultural District (Pennington County)
FUTURE LAND USE DESIGNATION	Mining and Extraction
SURROUNDING ZONING	
North:	General Agricultural District (Pennington County)
South:	General Agricultural 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	July 27, 2018
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

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 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

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- 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 the access easement shall be submitted for review and approval showing the street located in a minimum 50-foot wide right-of-way and constructed with a minimum 20-foot wide paved surface, curb, gutter, sidewalk and street light conduit. In addition, a turnaround in compliance with the Infrastructure Design Criteria Manual shall be provided 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. Prior to submittal of a Development Engineering Plan application, an Exception to allow a 1,976-foot long cul-de-sac street with no intermediate turnarounds in lieu of a maximum 1,500-foot long cul-de-sac with intermediate turnarounds every 600 feet as per Section 2.13.3 of the Infrastructure Design Criteria Manual shall be obtained or the plat document shall be revised accordingly. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
 4. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Infrastructure Design Criteria Manual shall be submitted for review and approval to address storm water detention if subdivision improvements are required;
 5. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 6. 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;
 7. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property;
 8. Prior to submittal of a Final Plat application, a lot size Variance shall be obtained from Pennington County to allow a lot size of 5 acres in lieu of a minimum of 40 acres in the General Agriculture District or the property shall be rezoned to support the proposed 5-acre lot size;
 9. Prior to submittal of a Final Plat application, the proposed access easement shall be revised to address comments from the City Attorney's Office. In addition, the revised easement shall be submitted for recording with the Final Plat application;
 10. Prior to submittal of a Final Plat application, the plat Certificates shall be revised to include only one Certificate for the Highway or Street Authority and to include a Certificate for the Public Works Director;
 11. 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,
 12. 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 a 5-acre lot, leaving an approximate 152-acre unplatted balance. The lot is to be known as Lot 1 of Claire Subdivision.

Currently, a single family residence is located on the proposed lot. The property is located approximately 1,975 feet north of Hidden Valley Drive.

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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:

Zoning: The property is zoned General Agriculture District by Pennington County. The Pennington County Zoning Ordinance requires a minimum 40-acre lot size in the General Agriculture District. As previously noted, the applicant is proposing to create a 5-acre lot. Prior to submittal of a Final Plat application, a lot size Variance must be obtained from Pennington County to allow the proposed 5-acre lot in the General Agriculture District or the property must be rezoned to support the proposed 5-acre lot size.

Sewer/Water: The property is located outside of the City's urban service boundary for utilities. Currently, the property is served by a private well and an on-site wastewater system. The on-site wastewater, a septic tank and drainfield, were permitted in 2018. As such, no additional water and/or sewer improvements are needed as a part of this plat.

Wild Fire Mitigation Plan: The property is located within a high wild fire area. As such, prior to submittal of a Final Plat application, the applicant must enter into a Wild Fire Mitigation Plan for the property.

Access: A gravel road extends approximately 1,975 feet north from Hidden Valley Drive to serve as access to the proposed lot. The road terminates at the southern lot line of the property and, as such, is designed as a cul-de-sac street. Pursuant to the Infrastructure Design Criteria Manual, the road is classified as a lane place street requiring that it be located in a minimum easement width of 50 feet and constructed with a minimum 20-foot wide paved surface, curb, gutter, sidewalk and street light conduit. In addition, a turnaround in compliance with the Infrastructure Design Criteria Manual must be provided. Upon submittal of a Development Engineering Plan application, construction plans for the access easement 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 document must be submitted with the Development Engineering Plan application.

As noted above, the access road is designed as a cul-de-sac street. Pursuant to Section 2.13.3 of the Infrastructure Design Criteria Manual, cul-de-sacs in high extreme fire hazard areas shall not exceed 1,500 feet in length. In addition, an intermediate turnaround is required every 600 feet. The existing road is a 1,975-foot long cul-de-sac street with no intermediate turnarounds. Prior to submittal of a Development Engineering Plan application, an Exception to Section 2.13.3 of the Infrastructure Design Criteria Manual must be obtained or the plat document must be revised accordingly. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

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The applicant has submitted a draft easement document to secure the road within an access easement. The City attorney's Office has reviewed the document and identified redline comments that must be addressed. Prior to submittal of a Final Plat application, the proposed easement must be revised to address the comments from the City Attorney's Office. In addition, the revised easement must be submitted for recording with the Final Plat application.

Drainage: If subdivision improvements are required, a drainage plan in compliance with the Infrastructure Design Criteria Manual must be submitted for review and approval upon submittal of a development Engineering Plan application.

Development Agreement: Chapter 16.12.040.K of the Rapid City Municipal Code states that a Development Agreement is 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.

Platting Process: If Exceptions are obtained to waive the requirement to improve the access road, 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 typically 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.