No. 19PL090 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT: Pat Hall
AGENT: Janelle Finck - Fisk Land Surveying & Consulting Engineers, Inc.
PROPERTY OWNER: Pat Hall
REQUEST: No. 19PL090 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION: Lot 2 of the SW1/4 of the NW1/4 and Lot 2 of the W1/2 of the SW1/4 of Section 34 and the SE1/4 of the NE1/4 and the E1/2 of the SE1/4 of Section 33, all located in T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION: Proposed Lots 1 thru 22 of Morris Ranch Estates (22 residential lots)
PARCEL ACREAGE: Approximately 184.22 acres
LOCATION: On the east side of Old Folsum Road 1/4 mile south of Lamb Road
EXISTING ZONING: Low Density Residential District (Pennington County)
FUTURE LAND USE DESIGNATION: Agriculture
SURROUNDING ZONING:
  North: General Agricultural District (Pennington County)
  South: Limited Agricultural District (Pennington County)
  East: Limited Agricultural District (Pennington County)
  West: Heavy Industrial District (Pennington County)
PUBLIC UTILITIES: Private community water and private on-site wastewater
DATE OF APPLICATION: October 10, 2019
REVIEWED BY: Vicki L. Fisher / Dan Kools

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 Old Folsom Road, a principal arterial street, shall be submitted for review and approval showing the street located in a minimum 83-foot wide right-of-way (the existing 66-foot wide right-
of-way with an additional 17 feet of right-of-way) and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;

2. Upon submittal of a Development Engineering Plan application, construction plans for 235th Street, a collector street, shall be submitted for review and approval showing the street located in a minimum 67-foot wide right-of-way (the existing 66-foot wide section line highway with one additional foot of right-of-way) and with an additional 5 feet of right-of-way the first 200 feet as the street extends west from Old Folsom Road and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception. 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 Chase Street, a local street, shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as the street extends west from Old Folsom Road and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception. 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, construction plans for Page Street, a local street, shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception. In addition, the cul-de-sac bulb shall be constructed pursuant to Figure 2.13 of the Infrastructure Design Criteria Manual and with an intermediate turnaround designed pursuant to Section 2.13.2 or criteria shall be met to obtain an Exception. 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, construction plans for the section line highway, a local street, located adjacent to Page Street shall be submitted for review and approval showing the section line highway as a 66-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception or the section line highway shall be vacated. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;

6. Prior to submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing the construction of sidewalk along each of the streets in compliance with the Infrastructure Design Criteria Manual and Chapter 12.08 of the Rapid City Municipal Code as a subdivision improvement or criteria shall be met to obtain a Variance from City Council;

7. 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;

8. 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. If determined that domestic flows and required fire flows cannot be provided, then a Covenant Agreement shall be submitted for recording with the Final Plat application stating that fire sprinkler protection shall be provided in all new residential structures or criteria shall be met to obtain an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;

9. Upon submittal of a Development Engineering Plan application, soils data for the proposed lots demonstrating that the soils are suitable for on-site wastewater treatment systems shall be submitted for review and approval;

10. 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 demonstrate that stormwater is being detained to pre-developed, historic rates and provide stormwater quality. In addition, easements shall be provided as needed;

11. 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 shall be submitted for review and approval if subdivision improvements are required;

12. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;

13. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;

14. Prior to submittal of a Final Plat application, the plat document shall identify a non-access easement along Old Folsom Road;

15. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for street maintenance and snow removal;

16. Prior to submittal of a Final Plat application, a miscellaneous document shall be recorded at the Register of Deed’s Office securing an easement for the proposed community well and water distribution corridor located outside the boundaries of the plat. In addition, a copy of the recorded easement shall be submitted with the Final Plat application;

17. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed community well and water system;

18. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements;

19. 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,

20. Prior to the City’s acceptance of the public improvements, a warranty surety shall be
GENERAL COMMENTS:
The applicant has submitted a Preliminary Subdivision Plan to create 22 residential lots, leaving an unplatted balance. The proposed lots range in size from 5.21 acres to 12.21 acres and are to be known as Lots 1 thru 22, Morris Ranch Estates.

The property is located outside of the City limits of Rapid City but within the City’s three-mile platting jurisdiction. More particularly, the property is located on the east side of Old Folsum Road, one-quarter mile south of Lamb Road. 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:

Zoning: The property is currently zoned Low Density Residential District by Pennington County which requires a minimum lot size of 3 acres. As previously noted, the lots will range in size from 5.21 acres to 12.21 acres meeting the minimum lot size requirement of the Low Density Residential District.

The City’s Future Land Use Plan identifies the appropriate use of the property as “Agriculture” which supports minimum 3-acre residential lots for single family residential development. The proposed plat is in compliance with the City’s Future Land Use Plan.

Master Plan: The applicant has submitted a Master Plan that includes the subject property and an unplatted balance located south of 235th Street. The Master Plan identifies this plat as Phase One with the property located south of 235th Street subdivided in the future as Phase Two and Phase Three. Phase Two includes creating 14 residential lots and Phase Three includes creating 2 additional residential lots. The City’s Major Street Plan identifies a north-south collector street extending through Phase Two. The Master Plan does not show the collector street. Prior to platting this phase of the development, the lot and street layout must be revised to include the collector street or a Comprehensive Plan Amendment to the Major Street Plan must be submitted for review and approval relocating or eliminating the street. Due to the phasing of the development, S.D. Highway 79 will serve as access to Phase Two until 235th Street is constructed within Phase Three providing a connection for Phase Two and Three to access via Old Folsom Road. However, a gravel road currently exists within the section line highway (proposed location of 235th Street) and it is anticipated that traffic from Phase Two will have an impact on Old Folsom Road prior to the platting of Phase Three. Please note that approval of this Preliminary Subdivision Plan application does not indicate approval of the Master Plan.
Old Folsom Road: Old Folsom Road is located along the east lot line of the property and is identified as a principal arterial street on the City’s Major Street Plan requiring that it 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, water and sewer. Currently, Old Folsom Road is located in a 66-foot wide right-of-way and constructed with chip seal on gravel. Upon submittal of a Development Engineering Plan application, construction plans for Old Folsom Road must be submitted for review and approval showing the street be located in a minimum 83-foot wide right-of-way (the existing 66-foot wide right-of-way with an additional 17 feet of right-of-way) and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria must be met to obtain an Exception. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

The Pennington County Highway Department has indicated that a non-access easement must be dedicated along Old Folsom Road as a part of the Final Plat. The Pennington County Highway Department has also indicated that Old Folsom Road as chip seal on gravel may not hold up well under increased traffic. The proposed development will increase the Average Daily Trips (ADT) to 400 +/- trips. Typically, a chip seal on gravel road will handle up to 650 ADT. Future phases of the development may require that the developer improve Old Folsom Road.

235 Street: 235th Street is located along the south lot line of the property and is classified as a collector street on the City’s Major Street Plan requiring that the street be located in a minimum 68-foot wide right-of-way and constructed with a minimum 34-foot wide paved surface (street parking on two sides) or 30-foot wide paved surface (street parking on one-side) or 24-foot wide paved surface (no on-street parking) and with curb, gutter, sidewalk, street light conduit, sewer and water. Currently, 235th Street is located in a 66-foot wide section line highway and constructed with an approximate 24-foot wide graveled surface. Upon submittal of a Development Engineering Plan application, construction plans for 235th Street must be submitted for review and approval showing the street located in a minimum 67-foot wide right-of-way (the existing 66-foot wide section line highway with one additional foot of right-of-way) and with an additional 5 feet of right-of-way the first 200 feet as the street extends west from Old Folsom Road and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria must be met to obtain an Exception. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Chase Street: Chase Street 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. Upon submittal of a Development Engineering application, construction plans for Chase Street must be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as the street extends west from Old Folsom Road and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria must be met to obtain an Exception. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.
Page Street: Page Street is a cul-de-sac street and classified as a local street requiring that it be located in a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Upon submittal of a Development Engineering Plan application, construction plans for Page Street, a local street, must be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria must be met to obtain an Exception. In addition, the cul-de-sac bulb must be constructed pursuant to Figure 2.13 of the Infrastructure Design Criteria Manual and with an intermediate turnaround designed pursuant to Section 2.13.2 or criteria must be met to obtain an Exception. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Section Line Highway: A north-south section line highway extends through the property and is adjacent to Page Street. 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. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway must be submitted for review and approval showing the section line highway as a 66-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria must be met to obtain an Exception or the section line highway must be vacated. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Water: The applicant has indicated that a well and private community water system will serve the proposed lots. Exception 19EX171 was approved on November 18, 2019 waiving the requirement that the water system be approved by the City Council and designed, bid and constructed by the Public Works Department. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report must demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. If determined that domestic flows and required fire flows cannot be provided, then a Covenant Agreement must be submitted for recording with the Final Plat application stating that fire sprinkler protection shall be provided in all new residential structures or criteria must be met to obtain an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application.

The proposed community well and a portion of the water distribution corridor is located outside the boundaries of this plat, within proposed Phase Two. Prior to submittal of a Final Plat application, a miscellaneous document must be recorded at the Register of Deed’s Office securing an easement for the proposed community well and this portion of the water distribution corridor. In addition, a copy of the recorded easement must be submitted with the Final Plat application.

Sewer: The applicant has indicated that the proposed lots will be served by on-site wastewater treatment systems. Upon submittal of a Development Engineering Plan application, soils data
for the proposed lots demonstrating that the soils are suitable for on-site wastewater treatment systems must be submitted for review and approval.

The Pennington County Wastewater Technician has stated that according to the USDA Web Soil Survey, the soils in this area are classified as “Very Limited”. It is also stated that shale has been discovered in soil profile holes within neighborhood properties. The applicant should be aware that all rules of the Pennington County Zoning Ordinance 204-J must be followed.

**Drainage:** The property is not located within a named drainage basin. 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 demonstrate that stormwater is being detained to pre-developed, historic rates and provide stormwater quality. In addition, easements must be provided 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 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.

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