

STAFF REPORT
June 25, 2020

No. 20PL040 - Preliminary Subdivision Plan

ITEM 7

GENERAL INFORMATION:

APPLICANT	Wayne Hellman
AGENT	Ferber Engineering Co., Inc.
PROPERTY OWNER	W. Richard Cabot
REQUEST	No. 20PL040 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	The NE1/4 of the SE1/4 of the SW1/4, less Tracts A and C and the SW1/4 of the SE1/4, less Tract A, less Lot H1 and less portion south of County Road, all located in Section 23, T2N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 1 and 2 of Cabot Subdivision
PARCEL ACREAGE	Approximately 43.333 acres
LOCATION	North of the Cabot Hill Road terminus
EXISTING ZONING	General Agricultural District (Pennington County)
FUTURE LAND USE DESIGNATION	Forest Conservation
SURROUNDING ZONING	
North:	General Agricultural District (Pennington County) - Low Density Residential District
South:	Limited Agricultural District (Pennington County) - Suburban Residential District (Pennington County)
East:	General Agricultural District (Pennington County)
West:	General Agricultural District (Pennington County)
PUBLIC UTILITIES	Private water and on-site wastewater
DATE OF APPLICATION	May 29, 2020
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 Cabot Hill Road shall be submitted for review and approval. In particular, the construction plans shall show a turnaround at the end of Cabot Hill Road (County Section). In addition,

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- that portion of Cabot Hill Road located on the subject property (private section) shall be widened and turnarounds provided every 600 feet pursuant to the Infrastructure Design Criteria Manual 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;
2. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted showing the construction of a sidewalk along Cabot Hill Road, both County and private sections, or a Variance from the City Council shall be obtained to waive the requirement;
 3. 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 all infrastructure elements per Section 1.15 of the Infrastructure Design Criteria Manual. In particular, the drainage report shall address ditch/culvert sizing of the private road widening and detention requirements. In addition, easements shall be provided as needed;
 4. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
 5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all required improvements;
 6. Prior to submittal of a Final Plat application, the property shall be annexed into the City limits of Rapid City or an Exception shall be obtained to waive the requirement. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. If the property is annexed into the City, all roadway and utility improvements shall be required per the Infrastructure Design Criteria Manual;
 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, the property shall be rezoned with Pennington County to support the proposed lot size(s) or a Variance shall be obtained from Pennington County to reduce the required lot size requirement in the General Agriculture District;
 9. Prior to submittal of a Final Plat application, the plat document shall be revised to show the existing overhead electric line within a utility easement as required by Black Hills Energy;
 10. 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, easements shall be dedicated as needed;
 11. Upon submittal of a Final Plat application, a road maintenance agreement shall be submitted for recording;
 12. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable;
 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

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GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to create two residential lots. The lots will be sized 10.24 acres and 33.09 acres, respectively, and will be known as Lots 1 and 2 of Cabot Subdivision.

The property is located outside of the City limits of Rapid City but within the City's three-mile platting jurisdiction. In particular, the property is located at the northern terminus of Cabot Hill Road. Currently a single-family residence and garage are located on proposed Lot 1. Proposed Lot 2 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: As previously noted, the property is currently zoned General Agriculture District by Pennington County. The General Agriculture District requires a minimum 40-acre lot size. As such, prior to submittal of a Final Plat application, the property must be rezoned with Pennington County to support the proposed lot size(s) or a Variance must be obtained from Pennington County to reduce the required lot size requirement in the General Agriculture District.

The City's Future Land Use Plan identifies the appropriate use of the property as Forest Conservation which recommends a minimum 3 to 5 acre residential lot size. Subsequently, the proposed plat is in compliance with the City's Comprehensive Plan.

Annexation: The property is located adjacent to the City limits of Rapid City. Chapter 16.04.090.B of the Rapid City Municipal Code requires that a property located contiguous to Rapid City be annexed prior to the submission of a Final Plat. As such, prior to submittal of a Final Plat application, the property must be annexed or an Exception must be obtained to waive the requirement. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Access: Cabot Hill Road, a local street, serves as access to the property. In addition, an existing 40-foot wide private access easement extends north from Cabot Hill Road through the subject property. The Emergency Services Communication Center has indicated that the private access easement must also be named Cabot Hill Road. The road(s) are currently gravel surfaced with varying widths of gravel. The City has granted an exception to waive the requirement to improve the road(s) with pavement, curb, gutter, street light conduit, water and sewer. However, the road(s) are steep in places with limited visibility. As such, upon submittal of a Development Engineering Plan application, construction plans for Cabot Hill Road must be submitted for review and approval showing a turnaround at the end of Cabot Hill Road (County Section). In addition, that portion of Cabot Hill Road located on the subject

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property (private section) must be widened and turnarounds provided every 600 feet pursuant to the Infrastructure Design Criteria Manual 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.

Water: The existing residence is located above 3,760 feet and, therefore, unserviceable by the City. The eastern portion of the property is located within the Northridge Zone which serves up to 3,760 feet. The nearest Northridge main is located over 4,000 feet away, north of Lennon Lane. As such, an Exception has been granted to waive the requirement to connect to City water.

The cistern currently serves as the water source for the existing residence located on proposed Lot 1. The applicant is proposing to drill a well on proposed Lot 2 to serve the future residence. Since the well and/or cistern cannot provide fire flows, any new residential structure must include a fire suppression system. Upon submittal of a Final Plat application, a Covenant Agreement must be entered into with the City to ensure that fire suppression system(s) are installed in any new residential structure(s). The system design and installation must meet the system requirements of NFPA 13, 13R and 13D, as applicable.

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.

Sewer: The applicant has indicated that a septic tank and drainfield currently serve the existing residence and that the same design is proposed for the future residence on proposed Lot 2. The nearest sewer main is located in Lakota Homes, over 2,000 feet away. In addition, there is no sewer main in Cabot Hill Road. As such, an Exception has been granted to waive the requirement to connect to City sewer.

Drainage: The property is located in the Haines Avenue Drainage Basin and the Morningside Drainage Basin. No major elements are located on the property. Storm water quality is not required for this development as connected impervious area will be below threshold. 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 all infrastructure elements per Section 1.15 of the Infrastructure Design Criteria Manual. In particular, the drainage report must address ditch/culvert sizing of the private road widening and detention requirements. In addition, easements must be provided as needed

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.

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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.