No. 20PL077 - Preliminary Subdivision Plan

GENERAL INFORMATION:

APPLICANT: Mike Gould, Stuart Rice, Ross and Angela McKie

AGENT: Janelle Finck - Fisk Land Surveying & Consulting Engineers, Inc.

PROPERTY OWNER: Michael and Marnie L. Gould, Stuart Rice, Ross and Angela McKie

REQUEST: No. 20PL077 - Preliminary Subdivision Plan

EXISTING
LEGAL DESCRIPTION: All of the W1/2 of the W1/2 of the SW1/4 of the NW1/4 and all of the SE1/4 of the SW1/4 of the SW1/4 of the NW1/4 and the E1/2 of the NW1/4 of the SW1/4 of the SW1/4 in Section 14, T1N, R7E, BHM; and all of Tract A of Wright Subdivision and the unplatted of the E1/2 of the SE1/4 of the NE1/4, T1N, R7E, BHM, located in the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 in Section 14 and the SE1/4 of the NE1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

PROPOSED
LEGAL DESCRIPTION: Proposed Lots A through D of Skyline Ranch Subdivision No. 2

PARCEL ACREAGE: Approximately 42.7 acres

LOCATION: 1850, 2300 and 2221 Skyline Ranch Road

EXISTING ZONING: Park Forest District

FUTURE LAND USE DESIGNATION: Forest Conservation

SURROUNDING ZONING:
North: Park Forest District
South: Park Forest District (Planned Development)
East: Park Forest District - Park Forest District (Planned Development)
West: Park Forest District

PUBLIC UTILITIES: City water and private on-site wastewater

DATE OF APPLICATION: September 25, 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, all information required pursuant to Title 16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;

2. Upon submittal of a Development Engineering Plan application, design reports for all required infrastructure elements pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual shall be submitted for review and approval. Prior to approval of the Development Engineering Plan application, the design reports 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;

3. Upon submittal of a Development Engineering Plan application, construction plans for JW Gould Memorial Drive located adjacent to the property shall be submitted for review and approval showing the street constructed with a minimum 16-foot wide paved surface with 2-foot wide gravel shoulders, a turnaround at the north end of the street and a water main, all designed in compliance with the Infrastructure Design Criteria Manual or the Exception as administratively approved by staff shall be appealed to City Council for alternate consideration. In addition, the new water main along JW Gould Memorial Drive shall be located within a Utility Easement for the City of Rapid City. A copy of the recorded Utility Easement shall be submitted with the Final Plat application;

4. Upon submittal of a Development Engineering Plan application, construction plans for Skyline Ranch Road shall be submitted for review and approval showing the street constructed with a minimum 20-foot wide paved surface for all sections located within or adjacent to the property or the Exception administratively approved by staff shall be appealed to the City Council for alternate consideration;

5. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval. In addition, an approved and signed cost estimate shall be submitted with the Final Plat application;

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

7. Prior to submittal of a Final Plat application, the plat document shall be revised to show access to an adjacent property legally described as: N1/2NE1/4NW1/4; N1/2NW1/4NE1/4SW1/4NW1/4; N1/2NE1/4NW1/4; N1/2NE1/4SW1/4NW1/4; SE1/4NE1/4NW1/4; N1/2 SE1/4NW1/4NE1/4SW1/4NW1/4, Section 14, T1N, R7E (Tax ID 45853) or documentation identifying that legal access exists shall be submitted;

8. Prior to submittal of a Final Plat application, the plat heading shall be revised to include Section 15 in the “formerly” after E1/2SE1/4NE1/4;

9. Prior to submittal of a Final Plat application, a note shall be placed on the plat document identifying the proposed access easement as private;
10. Upon submittal of a Final Plat application, documentation shall be submitted securing maintenance of the roadways;

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.

GENERAL COMMENTS:
The applicant has submitted a Preliminary Subdivision Plan application to plat four parcels into four lots. The lots range in size from 5.02 acres to 25.13 acres and will be known as Lots A through D of Skyline Ranch Subdivision No. 2.

The property is located northwest of the intersection of Skyline Ranch Road and JW Gould Memorial Drive. Proposed Lot A is currently void of any structural development. Proposed Lots B and C are currently developed with a single-family residence and detached garage on each lot. A barn with an internal residence, a second smaller barn and an outdoor riding arena are located on proposed Lot D.

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 Park Forest District which requires a minimum 3-acre lot size and allows single-family residential structure(s) with accessory buildings and uses. The proposed lots all exceed the minimum required lot size. All of the existing structures are currently allowed within the district with the exception of the two barns and the outdoor riding area located on proposed Lot D. Please note that these structures are legal non-conforming and may remain on the property. However, they cannot be expanded and if removed or destroyed by 50% of their original value, the structures cannot be rebuilt.

The City’s Future Land Use Plan identifies the appropriate use of the property as Forest Conservation which supports large lot single-family residential development with a minimum lot size of 3 acres. The proposed plat is in compliance with the City’s Comprehensive Plan.

Skyline Ranch Road: Skyline Ranch Road is located along the southern boundary of proposed Lots C and D and extends north along the common lot line of proposed Lots A and B. The 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, water and sewer. Currently, Skyline Ranch Road is located in a 47-foot wide easement. The plat document identifies that the existing easement will be vacated and replaced with a 66-foot wide access and utility easement. The street is currently
constructed as a rural road with a varying paved surface width of 12 feet to 20 feet. The applicant has submitted an Exception request to waive the requirement to improve the street. Staff has administratively granted the Exception with the provision that a minimum 20-foot wide paved surface be provided along the portion of the street that abuts or extends through the property. As such, upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval as identified. The applicant also has the option of appealing staff’s decision to City Council for an alternate consideration.

Please note that an Exception was also granted for Skyline Ranch Road to allow more than 20 residential dwelling units with a cul-de-sac length in excess of 1,500 feet and to waive the requirement for intermediate turnarounds located every 600 feet pursuant to the Infrastructure Design Criteria Manual.

**JW Gould Memorial Drive:** JW Gould Memorial Drive is located adjacent to proposed Lot D and is classified as a lane place street requiring that it be located in a minimum 50-foot wide right-of-way and constructed with a minimum 24-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The street is currently located in an easement with a varying width of 45 feet to 66 feet and constructed as a gravel road with an approximate width of 12 feet to 16 feet. The applicant has submitted an Exception request to waive the requirement to improve the street. Staff has administratively granted the Exception with the provision that with a minimum 16-foot wide paved surface with 2-foot wide gravel shoulders, a turnaround at the north end of the street and a water main be provided. As such, upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval as identified. The applicant also has the option of appealing staff’s decision to City Council for an alternate consideration.

**Road Maintenance:** As noted above, Skyline Ranch Road and JW Gould Memorial Drive are located within access easements instead of right-of-way as required. The applicant has requested and staff has granted an Exception request to allow the streets to be located within easement(s). Upon submittal of a Final Plat application, documentation must be submitted securing maintenance of the streets.

**Section Line Highway:** A section line highway extends north-south through the property. A portion of the section line has previously been vacated. The applicant has submitted an Exception request to waive the requirement to improve the remaining portion of the section line highway. Staff has administratively granted the Exception.

**Chapter 16.16.040:** Chapter 16.16040 of the Rapid City Municipal Code states “where appropriate, proposed streets shall be extended to the boundary lines of the tract or parcel to be subdivided in order to ensure access to adjoining parcels of land. Property abutting a proposed subdivision shall not be left land-locked by such proposed subdivision”. It appears that a parcel of land located directly east of proposed Lot B is currently landlocked. As such, prior to submittal of a Final Plat application, the plat document shall be revised to show access to the adjacent property or documentation must be submitted identifying that legal access currently exists.

**Water:** The property is primarily located in the Skyline Water Zone which serves elevations of 3,680 feet to 3,900 feet. The elevation of the proposed development is approximately 3,700
feet to 3,900 feet. There is an existing 8-inch water main in Skyline Ranch Road with fire hydrants, except along the south portion of proposed Lot B. An Exception has been granted waiving the requirement to install a water main along this portion of Skyline Ranch Road. The applicant also requested an Exception to waive the requirement to provide a water main along JW Gould Memorial Drive as required. Staff did not support this Exception. As such, upon submittal of a Development Engineering Plan application, construction plans for the construction of the water main must be submitted for review and approval as identified. The applicant also has the option of appealing staff’s decision to City Council for an alternate consideration.

Sewer: The property is currently served by private on-site wastewater systems. The nearest City sewer manhole is located 1,400 feet to the east and north along Tower Road. The applicant has submitted and staff has granted an Exception request waiving the requirement to install sewer mains as a part of subdividing the property as proposed.

Drainage: The property is located in the Arrowhead Drainage Basin. No major drainage elements are to be located within this property. Since the property is already developed and very rural in nature, no additional drainage improvements are required.

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.