STAFF REPORT  
June 24, 2021

No. 21PL056 - Preliminary Subdivision Plan  
ITEM 3

GENERAL INFORMATION:

APPLICANT: Kevin and Gayle Thom

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

PROPERTY OWNER: Christian Dewald

REQUEST: No. 21PL056 - Preliminary Subdivision Plan

EXISTING LEGAL DESCRIPTION: Lot C of Dewalds Subdivision and the balance of the SW1/4 of the NW1/4 of Section 12, T1N, R6E, BHM, Pennington County, South Dakota

PROPOSED LEGAL DESCRIPTION: Proposed Lot C1 and C2 of Dewalds Subdivision

PARCEL ACREAGE: Approximately 39.82 acres

LOCATION: 2667 Cavern Road

EXISTING ZONING: General Agricultural District (Pennington County)

FUTURE LAND USE DESIGNATION: Forest Conservation

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: May 26, 2021

REVIEWED BY: Vicki L. Fisher / Todd Peckosh

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

1. Prior to submittal of a Final Plat application, the Certificate of Finance Director shall be revised eliminating the certification of signature for the Public Works Director as this Director’s signature is not required on a Final Plat application;

2. Prior to submittal of a Final Plat application, the plat document shall be revised to show the recording information for the Access and Utility Easement as A201602231 instead of A2016602231;
3. Prior to 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 or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable; and,

4. Prior to submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provisions are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to subdivide an approximate 40-acre parcel into two residential lots. The lots will be sized 19.14 acres and 19.95 acres, respectively, and will be known as Lots C1 and C2 of Dewalds Subdivision.

The property is located outside of the City limits of Rapid City but within the City’s three-mile plating jurisdiction. In particular, the property is located approximately 4,000 feet north and east of the northern terminus of Cavern Road. An existing 40-foot wide access easement provides access to the property. Currently, a single-family residence and a shed are located on proposed Lot C1. Lot C2 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 General Agriculture District by Pennington County. The Pennington County Planning Department has indicated that the proposed lots meet the minimum lot size of the General Agriculture District.

The City’s Future Land Use Plan identifies the appropriate use of the property as Forest Conservation which supports large lot single-family development. As such, the proposed plat is in compliance with the City’s Comprehensive Plan.

Access and Utility Easement: As previously noted, a 40-foot wide access and utility easement extends north from the terminus of Cavern Road to serve as access to the subject property. The plat document also identifies an existing 90-foot wide access and utility easement at the front lot line of the subject property to serve a shared access point for the two proposed lots. It is only this portion of the easement that is subject to improvement as a part of the plat application. Currently, both easements are constructed with an approximate 18 to 20-foot wide graveled surface. Requiring that the access easement located on the subject property be improved to City street design standards would create a discontinuous street design. As
such, staff has administratively granted an Exception to waive the requirement to improve the easement as a part of this plat application.

**Sewer:** The property is located outside the City Urban Service boundary. A private on-site wastewater system currently serves the residence located on proposed Lot C1. A future on-site wastewater system will serve proposed Lot C2. As such, an Exception has been granted waiving the requirement to provide sewer mains as a part of platting the property.

**Water:** As previously noted, the property is located outside the City Urban Service boundary. A private well is currently serving proposed Lot C1. The applicant has indicated that a separate private well will serve proposed Lot C2. As such, an Exception has been granted waiving the requirement to provide water mains as a part of platting the property.

Private wells cannot provide minimum fire flows to the property as required. The Fire Department has indicated that they are in support of the proposed subdivision contingent upon the following stipulations:

1. 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 or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable; and,

2. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provisions are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative; fire suppression systems are installed in any new residential structures or significant alterations to the existing residential structure that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable.

**Drainage:** The proposed lots are large in size with a mix of forest and grass. Since no subdivision improvements are required as a part of this plat, drainage patterns will not be altered. As such, a drainage plan is not required.

**Master Plan:** The applicant has submitted a Master Plan showing the remaining 40-acre unplatted parcel as a future lot. In addition, the applicant has submitted a copy of a recorded access easement, which provides access to the unplatted balance.

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