

STAFF REPORT
November 24, 2021

No. 21PL109 - Preliminary Subdivision Plan

ITEM 15

GENERAL INFORMATION:

APPLICANT	Dan Murray
AGENT	Renee Catron - KTM Design Solutions, Inc.
PROPERTY OWNER	Susan Murray
REQUEST	No. 21PL109 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	The SE1/4 of Government Lot 4, located in Section 31, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots A and B of Murray Subdivision
PARCEL ACREAGE	Approximately 10.15 acres
LOCATION	6600 Bighorn Road
EXISTING ZONING	Suburban Residential District (Pennington County)
FUTURE LAND USE DESIGNATION	Forest Conservation
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	October 8, 2021
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

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

1. Prior to submittal of a Final Plat application, an Exception shall be obtained to allow 92 lots with one point of access in lieu of a maximum of 40 lots or the plat document shall be revised to provide a second point of access;
2. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property. In addition, a copy of the approved plan shall be submitted with the Final Plat application;
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

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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. In addition, a copy of the executed agreement shall be submitted with the Final Plat application;

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. In addition, a copy of the executed agreement shall be submitted with the Final Plat application; and,
5. Upon submittal of a Final Plat application, written documentation shall be submitted confirming that the Big Horn Road District is in agreement with adding an additional lot to the road district.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to create two residential lots. The lots will be sized 5.15 acres and 4.97 acres, respectively, and will be known as Lots A and B of Murray Subdivision.

The property is located outside of the City limits but within the City's three-mile platting jurisdiction. More specifically, the property is located northwest of the intersection of Pioneer Circle and Big Horn Road. Currently, a residence is located on proposed Lot A. As a result of the proposed plat, a garage will be located on proposed Lot B.

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 Suburban Residential District by Pennington County. In addition, Lot B is currently zoned General Agriculture District. The Pennington County Planning Department has indicated that the proposed lot size(s) are in compliance with the County's Zoning Ordinance. However, since the plat will place the existing garage on a separate lot, a Conditional Use Permit must be submitted to the County to allow an accessory structure on a lot prior to a principle structure (residence). The Pennington County Planning Department has indicated that the Conditional Use Permit application must be filed with their office directly after the Final Plat is recorded.

The City's Future Land Use Plan identifies the appropriate use of the property as Forest Conservation which supports minimum 3-acre residential lot sizes. As previously noted, the two proposed lots will be sized 5.15 acres and 4.97 acres, respectively. Subsequently, the proposed plat is in compliance with the City's Comprehensive Plan.

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Access: Section 2.6 of the Infrastructure Design Criteria Manual states that a street with a single access shall not be used for more than 40 dwelling units. A second access shall be provided when more than 40 dwelling units are accessed from a street. Currently, Clarkson Road serves as exclusive access to 91 lots. With this plat, the street will serve 92 lots. As such, prior to submittal of a Final Plat application, an Exception must be obtained from City Council to allow 92 lots with one point of access or the plat document must be revised to provide a second street access.

Access Improvements: A section line highway is located along the south lot line of the property. The intersection of Bighorn Road and Pioneer Circle is located at the southeast corner of the property. In addition, a 50-foot wide private access and utility easement is located within the eastern portion of the two proposed lots. The section line highway is unimproved. The intersection of the two streets and the easement are developed with a 12-foot wide graveled surface. The applicant has requested and staff has approved Exceptions to waive all street improvements as a part of this plat.

Water/Sewer: There are no City sewer and/or water mains within 400 feet of the subject property. Currently, this area is served by on-site wastewater systems and private wells. As such, the applicant has submitted and staff has approved an Exception request to waive the requirement to construct standard water and sewer mains as a part of platting the property.

Fire Protection: There are areas of the subject property that are wooded and considered to be within a high wildland fire hazard area. As such, the applicant must enter into a Wild Fire Mitigation Plan for the property. In addition, a copy of the approved plan must be submitted with the Final Plat application.

Private well(s) cannot provide minimum required domestic and fire flows. As such, the Fire Department is requiring the following:

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.

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