

STAFF REPORT
November 24, 2021

No. 21PL111 - Preliminary Subdivision Plan

ITEM 16

GENERAL INFORMATION:

APPLICANT	Mike Holmberg
AGENT	Renner Associates, LLC
PROPERTY OWNER	Mike Holmberg
REQUEST	No. 21PL111 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lot 1 less dedicated right-of-way of Lovell Subdivision, located in the SE1/4 of the NE1/4 and the N1/2 of the SE1/4 of Section 29, T1N, R9E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 1A of 1B of Lovell Subdivision
PARCEL ACREAGE	Approximately 21.443 acres
LOCATION	23359 Bradsky Road
EXISTING ZONING	Agricultural District (Pennington County)
FUTURE LAND USE DESIGNATION	Rural Residential
SURROUNDING ZONING	
North:	Agricultural District (Pennington County)
South:	Agricultural District (Pennington County)
East:	Agricultural District (Pennington County)
West:	Agricultural District (Pennington County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	October 14, 2021
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with 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, 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

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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;

3. 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 provision 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;
4. Prior to submittal of a Final Plat application, a Variance shall be obtained from City Council waiving the requirement to construct sidewalk along Bradsky Road or construction plans shall be submitted for review and approval showing the construction of sidewalk along the east side of the street;
5. Prior to submittal of a Final Plat application, the plat document shall show the dedication of 17 additional feet of right-of-way along the entire east property line or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Final Plat application. If the dedication of right-of-way is required then that portion of the existing barn located within the proposed right-of-way shall be removed. In addition, that portion of the barn located within the minimum required front yard setback shall be removed or a Variance from Pennington County Zoning Board of Adjustment to reduce the front yard setback requirement shall be obtained; and,
6. Prior to submittal of a Final Plat application, proposed Lot 1B shall be rezoned by Pennington County from Agriculture District to Low Density Residential District and the rezone shall be effective.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to create two residential lots. The lots will be sized 19.938 acres and 1 acre, respectively, and will be known as Lots 1A and 1B of Lovell 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 approximately 200 feet south of the intersection of S.D. Highway 44 E. and Bradsky Road, on the west side of Bradsky Road. Currently, a residence, 3 shops, a shed, 2 barns and livestock shelters are located on proposed Lot 1A. Proposed Lot 1B 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 zoned Agriculture District by Pennington County. The Pennington County Planning Department has indicated that proposed Lot 1B must be rezoned from Agriculture

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District to Low Density Residential District in order to meet the minimum lot size of the district prior to submittal of a Final Plat application. In addition, the rezone must be effective prior to submittal of the Final Plat application.

The City's Future Land Use Plan identifies the appropriate use of the property as Rural Reserve which supports large lot residential development. As previously noted, the two proposed lots will be sized 19.938 acres and 1 acre, respectively. Subsequently, the proposed plat is in compliance with the City's Comprehensive Plan.

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, Bradsky 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.

Please note that the County's Zoning Board of Adjustment has granted a Variance (VA 21-15) to allow an additional lot on a dead-end road system.

Bradsky Road: Bradsky Road is located along the east lot line of the subject property and is classified as a minor arterial street on the City's Major Street Plan requiring that the street be located within 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, Bradsky Road is located within a 66-foot wide dedicated section line highway and constructed with an approximate 26-foot wide paved rural road section. Staff has administratively granted an Exception to waive all street improvements with the exception of a sidewalk. Pursuant to the Infrastructure Design Criteria Manual, the City Council has the authority to grant Variances to waive sidewalk requirements. As such, prior to submittal of a Final Plat application, a Variance shall be obtained from City Council waiving the requirement to construct sidewalk along Bradsky Road or construction plans must be submitted for review and approval showing the construction of sidewalk along the east side of the street.

The applicant has submitted a preliminary plat document showing the dedication of 17 additional feet of right-of-way along Bradsky Road as required with the exception of a 43-foot span due to an existing barn located directly adjacent to the east lot line of the property. Prior to submittal of a Final Plat application, the plat document must be revised to show the dedication of 17 additional feet of right-of-way along the entire east property line or an Exception must be obtained. If an Exception is obtained, a copy of the approved document must be submitted with the Final Plat application. If additional right-of-way is required, then that portion of the existing barn located within the proposed right-of-way and the minimum required front yard setback must be removed. The applicant has the option to seek a Variance from Pennington County Zoning Board of Adjustment to reduce the front yard setback requirement but structural encroachments into the right-of-way are not allowed.

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

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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: 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 provision 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.

Floodplain: Portions of the property are located within the 100-year Federally designated floodplain. In addition, a portion of the property is located within the floodway. The applicant should be aware that future development on the proposed lots will require that a Floodplain Development Permit be secured with Pennington County.

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