GENERAL INFORMATION:

APPLICANT: Jon Eizinger
AGENT: Ron Davis - Davis Engineering, Inc.
PROPERTY OWNER: Jon Eizinger
REQUEST: No. 21PL121 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION: Lot 2 of Block 1 of Irene Estates Subdivision, located in Section 18, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION: Proposed Lots A and B of Lot 2 of Block 1 of Irene Estates Subdivision
PARCEL ACREAGE: Approximately 3.35 acres
LOCATION: North of W. SD Highway 44 and west of Namless Cave Road
EXISTING ZONING: Low Density Residential District
FUTURE LAND USE DESIGNATION: Forest Conservation
SURROUNDING ZONING: North: Low Density Residential District, South: Agricultural District (Pennington County), East: Suburban Residential District (Pennington County), West: Suburban Residential District (Pennington County) - Low Density Residential District
PUBLIC UTILITIES: Private on-site water and wastewater
DATE OF APPLICATION: November 1, 2021
REVIEWED BY: Vicki L. Fisher / Emily Fisher

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 a sanitary sewer main within Nameless Cave Road right-of-way shall be submitted for review and approval or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering
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Plan application;

2. Upon submittal of a Development Engineering Plan application, the plat document shall show the dedication of 17 additional feet of right-of-way along Nameless Cave Road or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;

3. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;

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

5. Prior to approval of the Development Engineering Plan application, an engineering design report for sewer shall be required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. 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;

6. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;

7. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded;

8. Prior to submittal of a Final Plat application, the applicant shall coordinate with the Rapid City Fire Department to determine if a Wild Fire Mitigation Plan is needed for the property. If required, a copy of the approved plan shall be submitted with the Final Plat application;

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

10. 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;

11. Prior to submittal of a Final Plat application, the plat title shall be revised to add “of Block 1” to the new lots and to the formerly description;

12. 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,

13. 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 to subdivide an existing lot into two lots. The lots will be sized 2.16 acres and 1.19 acres, respectively, and will be known as
Lots A and B of Lot 2 of Irene Estates Subdivision.

The property is located north of the intersection of W. SD Highway 44 and Nameless Cave Road, on the west side of Nameless Cave Road. Currently, a single-family residence and a garage are located on proposed Lot B. Lot A is currently 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 Low Density Residential District. The proposed lots, with on-site water and wastewater, meet the minimum required lot size. The existing single-family residence and garage located on proposed Lot B are permitted uses within the Low Density Residential District.

The City's Future Land Use Plan identifies the appropriate use of the property as Forest Conservation which supports large residential lot sizes. As previously noted, the two proposed lots will be sized 2.16 acres and 1.19 acres, respectively. Subsequently, the proposed plat is in compliance with the City’s Comprehensive Plan.

Nameless Cave Road: Nameless Cave Road will serve as access to the two proposed lots 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 36-foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Nameless Cave Road is located in a 66-foot wide right-of-way and constructed as a rural street with an approximate 20-foot wide paved surface. Staff has administratively waived all of the street improvements with the exception of the extension of a sanitary sewer along Nameless Cave Road and the dedication of an additional 17 feet of right-of-way. Upon submittal of a Development Engineering Plan application, construction plans for a sanitary sewer main must be submitted for review and approval and the plat document must show the dedication of 17 additional feet of right-of-way along Nameless Cave Road.

Water/Sewer: The existing lot is served by a private well. Proposed Lot A will be served by an existing spring and proposed cistern. As such, staff has administratively granted an Exception to provide a water main along Nameless Cave Road.

The current lot is served by an on-site septic system. However, Rapid Canyon Sanitary District has public sewer in the intersection of Nameless Cave Road and W. SD Highway 44. As such, upon submittal of a Development Engineering Plan application, construction plans for a sanitary sewer main within Nameless Cave Road right-of-way must be submitted for review and approval or must meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document must be submitted with the Development
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Engineering Plan application.

**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 coordinate with the Rapid City Fire Department to determine if a Wild Fire Mitigation Plan is needed for the property. If required, a copy of the approved plan must be submitted with the Final Plat application.

Private well(s) and cisterns 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.

**Drainage:** The proposed development is not located in a drainage basin defined by the City. Since the lots are greater than one acre, no drainage plan is required as a part of this plat.

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