GENERAL INFORMATION:

APPLICANT        Kevin Quinn
AGENT            AA No Agent
PROPERTY OWNER   Eugene and Theresa Quinn
REQUEST          No. 22PL055 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION Lot 3 of Ladd Subdivision located in Section 18, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION Proposed Lot 3R and Lot 5 of Ladd Subdivision
PARCEL ACREAGE   Approximately 25.2 acres
LOCATION         6620 W. Highway 44
EXISTING ZONING  Agricultural District (Pennington County)
FUTURE LAND USE  DESIGNATION Forest Conservation
SURROUNDING ZONING
North:            Agricultural District (Pennington County)
South:            Suburban Residential District (Pennington County)
East:             Suburban Residential District (Pennington County)
West:             Railroad - Agricultural District (Pennington County)
PUBLIC UTILITIES Private well and on-site wastewater system
DATE OF APPLICATION May 19, 2022
REVIEWED BY      Marlo Kapsa / Emily Fisher

RECOMMENDATION:

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

1. Upon submittal of the Development Engineering Plan application, construction plans for the proposed access road to Lot 5 located within a section line highway shall be submitted for review and approval in compliance with Pennington County Ordinance 14 or shall meet criteria to obtain an Exception from the Pennington County Highway Department. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. If any portion of the proposed access lies outside of the section line highway on the adjacent property, an access easement shall be
secured and a copy of the recorded easement shall be submitted with the Final Plat application. In addition, construction plans for a turnaround at the terminus of the access road shall be submitted with dimensions that meet Table 1 of the Pennington County Subdivision Regulations;

2. Upon submittal of the Development Engineering Plan application, all applicable information required per 16.12.040 of the Rapid City Municipal Code shall be submitted;

3. Upon submittal of a Development Engineering Plan application, all applicable engineering design reports required for construction approval per Section 1.15 of the Infrastructure Design Criteria Manual shall be submitted. 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;

4. Prior to approval of the Developmental Engineering Plan application, the “Petition for Road Construction within a Section Line Right-of-Way” shall be approved by the Pennington County Board of Commissioners and documentation of this approval must be submitted;

5. Upon submittal of the Development Engineering Plan application, the applicant shall obtain an Engineer’s Cost Estimate shall be submitted for review and approval;

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 approval of the Development Engineering Plan application, any necessary offsite easements shall be recorded;

8. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for a water tank and pump that supplies a sufficient amount of water volume and pressure to meet the fire flow requirement as per the International Fire Code as adopted by the City of Rapid City or the applicant has the option to install automatic sprinkler suppression systems. If the applicant chooses to install fire sprinkler systems in lieu of providing the construction plans, then prior to submittal of the 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, prior to submittal of the Final Plat application, a Covenant Agreement shall be entered into with the City to ensure exterior cladding, open eaves, and soffits shall be constructed of classified ignition-resistant or non-combustible materials. Approved non-combustible materials include, but are not limited to: metal, fiber-cement board, traditional stucco, masonry/brick, concrete synthetic stone, and similar materials. Gutters and downspouts that are of non-combustible construction shall be installed such that the leading edge of the roof is finished with a metal drip edge so that no wood sheathing is exposed. The drip edge shall extend into the gutter. Vinyl gutters and other combustible materials are not allowed. In addition, a copy of the executed agreements shall be submitted with the Final Plat application;

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

10. Upon submittal of the 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,
11. 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 25.2 acre parcel into two lots. Proposed Lot 3R is to be sized 15.184 acres and proposed Lot 5 is to be sized 10.019 acres.

The property is located northwest of the intersection of South Dakota Highway 44 and Nameless Cave Road. Proposed Lot 3R is currently developed with a single family residence and four accessory structures. Proposed Lot 5 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:

Zoning: The subject property is currently zoned Agriculture (Pennington County) with an existing single-family residence and four accessory structures located on proposed Lot 3R. Proposed Lot 5 is currently void of structural development, however, it has been indicated by the applicant that they intend to develop the lot with a single-family residence which is an allowed use within the Pennington County Agriculture Zoning District. The minimum lot size requirement of 10 acres is being met by both proposed lots. The existing structures meet all setback requirements and no other zoning concerns have been noted by the Pennington County Planning Department.

The City’s Future Land Use Plan identifies the appropriate use of the property as Forest Conservation. Large lot single-family residences are identified as an appropriate secondary use. As such, the proposed plat is in compliance with the City’s Comprehensive Plan.

South Dakota Highway 44: South Dakota Highway 44 runs along the southern lot line of the subject property and is classified as a Principal Arterial Street on the City’s Major Street Plan requiring that the street be located in a minimum 100 foot wide right-of-way and constructed with a 36-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water. Currently, this section of South Dakota Highway 44 is located within a right-of-way ranging from 163 feet to 175 feet in width and constructed with a 43-foot wide paved surface. An Exception to waive additional street improvements to South Dakota Highway 44 has been administratively granted by the Rapid City Public Works Department. As such, no additional improvements are being required as part of this plat.

Minimum Access: Nameless Cave Road extends north from South Dakota Highway 44 and provides singular access to proposed Lot 5 via section line highway. With the additional lot to be created per this plat, Nameless Cave Road will provide singular access to a total of 40 units. Per Section 2.4 of the Rapid City Infrastructure Design Criteria Manual, a street with a singular access shall not be used for more than 40 dwelling units. Prior to any platting that
would allow further densification along Nameless Cave Road, a secondary access must be provided or an Exception to exceed the 40-unit rule must be obtained from the Rapid City Council.

Upon submittal of the Development Engineering Plan application, the location of the approach to proposed Lot 5 must be approved by the Pennington County Highway Department. If any portion of the proposed access lies outside of the section line highway on an adjacent property, an access easement must be secured and a copy of the recorded easement shall be submitted with the Final Plat application.

Upon submittal of a Developmental Engineering Plan application, construction plans for a turnaround with dimensions that meet Table 1 of the Pennington County Subdivision Regulations must be reviewed and approved by the Pennington County Highway Department.

North/South Section Line Highway: An unimproved section line highway extends along the west lot line of the subject property and is currently unimproved. The section line highway 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. Since the section line highway is not needed for access and/or a utility corridor for the development of the subject property, the Rapid City Public Works Department has administratively granted an Exception waiving the requirement to dedicate right-of-way and to improvement the section line highway.

Access to Lot 5: The proposed plat identifies access to Lot 5 extending from Nameless Cave Road within a section line highway located along the north lot line of the property. The section line highway 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. The section line is currently unimproved. The Pennington County Highway Department recommends that the proposed access road be constructed pursuant to Pennington County Ordinance 14 standards. More specifically, that the access be constructed with a 24-foot wide graveled surface. Since the property is located outside of the City limits and the access is intended to serve only one property, the Rapid City Public Works Department has administratively granted an Exception to allow the access to be constructed pursuant to Pennington County Ordinance 14 standards. The Exception waives the requirement to improve the balance of the section line highway located along the north lot line.

It is unclear from the applicant’s site plan if the northern portion of the proposed access road is entirely within the section line highway. If any portion of the proposed access lies outside of the section line highway on the adjacent property, then an access easement must be secured and a copy of the recorded easement must be submitted with the Final Plat application.

The Pennington County Highway Department has also indicated that prior to approval of the Developmental Engineering Plan application, the “Petition for Road Construction within a Section Line Right-of-Way” must be approved by the Pennington County Board of Commissioners. Documentation of this approval must be submitted to the Rapid City Public Works Department.
Drainage: The subject property is not located within a City-identified drainage basin. Due to the large size of the lot and low impact of the proposed single-family residential use, no drainage report will be required as part of this plat.

Utilities: Proposed Lot 4R is served by an existing private well and on-site wastewater system. The applicant has indicated that proposed Lot 5 will be served by its own individual private well and on-site wastewater system. Please note that a private well cannot provide fire flows pursuant to the International Fire Code adopted by the City of Rapid City. As such, upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval for a water tank and pump that supplies a sufficient amount of water volume and pressure to meet the fire flow requirement or the applicant has the option to install automatic sprinkler suppression systems. If the applicant chooses to install fire sprinkler systems in lieu of providing the construction plans, then a Covenant Agreement must 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 prior to submittal of a Final Plat. The system design and installation must meet the system requirements of NFPA 13, 13R and 13D, as applicable. In addition, prior to submittal of the Final Plat application, a Covenant Agreement must be entered into with the City to ensure exterior cladding, open eaves, and soffits shall be constructed of classified ignition-resistant or non-combustible materials. Approved non-combustible materials include, but are not limited to: metal, fiber-cement board, traditional stucco, masonry/brick, concrete synthetic stone, and similar materials. Gutters and downspouts that are of non-combustible construction shall be installed such that the leading edge of the roof is finished with a metal drip edge so that no wood sheathing is exposed. The drip edge must extend into the gutter. Vinyl gutters and other combustible materials are not allowed. In addition, a copy of the executed agreements must be submitted with the Final Plat application.

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.