GENERAL INFORMATION:

APPLICANT: David and Joyce Whittington

AGENT: D.C. Scott Land Surveyors, Inc.

PROPERTY OWNER: Dave and Joyce Whittington

REQUEST: No. 22PL073 - Preliminary Subdivision Plan

EXISTING LEGAL DESCRIPTION: Lot 13 of Block 3 of Mood Meadow Estates, located in the E1/2 of the NE1/4 of Section 33, T1N, R7E, BHM, Pennington County, South Dakota

PROPOSED LEGAL DESCRIPTION: Proposed Lot 13A and 13B of Moon Meadow Estates

PARCEL ACREAGE: Approximately 4.74 acres

LOCATION: 3467 Moon Meadows Drive

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 well and on-site wastewater

DATE OF APPLICATION: June 24, 2022

REVIEWED BY: Marlo Kapsa / Todd Peckosh

RECOMMENDATION:

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

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

2. 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
3. Upon submittal of a Development Engineering Plan application, an Engineer’s Cost Estimate shall be submitted for review and approval;

4. Upon submittal of a Development Engineering Plan application, construction plans for a sidewalk along Moon Meadows Drive shall be submitted for review and approval or the applicant shall obtain a variance from the Rapid City Council to waive the sidewalk construction requirement;

5. Upon submittal of a Development Engineering Plan application, a water maintenance agreement shall be submitted if a shared well is used to serve proposed Lot 13A;

6. Upon submittal of a Final Plat application, an easement for the water line serving proposed Lot 13B shall be secured. In addition, a copy of the recorded easement shall be submitted;

7. 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 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 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 prior to submittal of a Final Plat. 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 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;

8. Upon submittal of a Development Engineering Plan application, construction plans for fire apparatus turnarounds pursuant to Section 2.13 of the Infrastructure Design Criterial Manual shall be submitted for review and approval for proposed Lots 13A and 13B or criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;

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

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

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

12. Upon submittal of a Final Plat application, the plat document shall be revised to show an additional 17 feet of right-of-way dedicated along Moon Meadows Drive or criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the approved document shall be submitted with the Final Plat application;

13. Prior to submittal of the Final Plat application, an approach permit for the existing approach shall be filed with the Pennington County Highway Department. Documentation acknowledging that this requirement has been met shall be submitted with the Final Plat application;

14. Upon submittal of a Final Plat application, any necessary covenant or maintenance agreements shall be provided for maintenance and ownership of any proposed access
15. 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,

16. 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 4.74 acre parcel into two lots. The lots will be known as Lot 13A and Lot 13B of Moon Meadow Estates and are sized 1.17 acres and 3.57 acres, respectively.

The property is located west of the intersection of Mount Wilson Lane and Moon Meadows Drive. Proposed Lot 13B is currently developed with a single family residence and one accessory structure. Proposed Lot 13A 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 Suburban Residential (Pennington County) with an existing single-family residence and one accessory structure located on proposed Lot 13B. Proposed Lot 13A is currently void of structural development, however, it has been indicated by the applicant that they intend to sell the lot to be developed with a single-family residence which is an allowed use within the Pennington County Suburban Residential District. The minimum lot size requirement of one acre 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.

**Moon Meadows Drive:** Moon Meadows Drive runs along the northern 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 Moon Meadows Drive is located within a 66-foot wide right of way and constructed with a 24-foot wide paved surface with no curb, gutter, sidewalk, streetlight conduit, sewer, or dual water. An Exception to waive additional street improvements has been administratively granted by the Rapid City Public Works Department with the exception of sidewalks. An additional 17 feet of right-of-way is required to be dedicated along Moon Meadows Drive or criteria for obtaining an Exception to waive the requirement must be met. If an Exception is obtained a copy of the approved document must be submitted with the
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Development Engineering Plan application. Currently, the Pennington County Highway Department does not have an approach permit on file for the existing approach off of Moon Meadows Drive. Upon submittal of the Final Plat application, an approach permit must be filed with the Pennington County Highway Department. Documentation acknowledging that this requirement has been met must be submitted with the Final Plat application. Upon submittal of a Development Engineering Plan application, construction plans for a sidewalk along Moon Meadows Drive must be submitted for review and approval or the applicant must obtain a Variance from the Rapid City Council to waive the sidewalk construction requirement.

Non-Exclusive Private Access Easement: A 40-foot wide Non-Exclusive Private Access Easement is being proposed as part of the Preliminary Subdivision Plan to provide access to proposed Lot 13B. The Non-Exclusive Private Access Easement is classified as a lane/place street per the Infrastructure Design Criteria Manual requiring that it be located in a minimum 50-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as it extends south from Moon Meadows Drive, an arterial street. In addition, the street must be constructed with a 20-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, there is no right-of-way being dedicated along the Non-Exclusive Private Access Easement. The existing road is paved to a width of approximately 8 feet with no curb, gutter, sidewalk, street light conduit, water, or sewer. An Exception to waive the requirement to improve the Non-Exclusive Private Access Easement to City standards has been administratively granted by the Rapid City Public Works Department. As such, no additional improvements are being required as part of this plat.

Water/Sewer: The existing residence on proposed Lot 13B is served by an off-site private well and on-site wastewater system. The applicant has indicated that proposed Lot 13A will be served by its own private well and on-site wastewater system. If a shared well is used to serve proposed Lot 13A, a water maintenance agreement must be submitted upon submittal of a Development Engineering Plan application. Additionally, an easement for the water line serving proposed Lot 13B must be secured upon submittal of a Final Plat application. A copy of the recorded easement must be submitted.

Fire Protection: A private well cannot provide adequate 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 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. Upon submittal of a Development Engineering Plan application, construction plans for fire apparatus turnarounds pursuant to Section 2.13 of the Infrastructure Design Criterial Manual must be
submitted for review and approval for proposed Lots 13A and 13B or criteria for obtaining an Exception must be met. If an Exception is obtained a copy of the approved document must be submitted with the Development Engineering Plan application.

**Drainage:** The subject property is located within the Arrowhead Drainage Basin. Due to the large size of the proposed lots and low impact of the proposed single-family residential use, no drainage report is required as part of this plat.

**Stormwater Management Plan:** The City Council has adopted a Stormwater Quality Manual and an Infrastructure Design Criteria Manual which provide criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure Design Criteria Manual be submitted for review and approval as required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

**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.