

STAFF REPORT
January 5, 2023

No. 22PL138 - Preliminary Subdivision Plan

ITEM 6

GENERAL INFORMATION:

APPLICANT	Lage Construction, Inc.
AGENT	Longbranch Civil Engineering, Inc.
PROPERTY OWNER	Dakota Land Cattle Company, LLC
REQUEST	No. 22PL138 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lot 5 of Block 4 of Ranch at Black Gap, located in the E1/2 of the SE1/4 of Section 8, T1S, R8E and the W1/2 of the SW1/4 of Section 9, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 5R and 6 through Lot 9 and Reservoir Lot 1 of Block 4 of the Ranch at Black Gap
PARCEL ACREAGE	Approximately 59.274 acres
LOCATION	Southeast of the intersection of Highway 79 and Ambush Ranch Road
EXISTING ZONING	Planned Unit Development (Pennington County)
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	Planned Unit Development (Pennington County)
South:	Agricultural District (Pennington County)
East:	Planned Unit Development (Pennington County)
West:	Agricultural District (Pennington County)
PUBLIC UTILITIES	Community water / private on-site wastewater
DATE OF APPLICATION	December 7, 2022
REVIEWED BY	Vicki L. Fisher / Dan Kools

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 that portion of the east-west section line highway located in the City's platting jurisdiction shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception or the

STAFF REPORT
January 5, 2023

No. 22PL138 - Preliminary Subdivision Plan

ITEM 6

section line highway shall be vacated. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;

2. Prior to submittal of a Development Engineering Plan application, a Variance shall be obtained from City Council waiving the requirement to construction sidewalk along S.D. Highway 79 and Ambush Ranch Road or upon submittal of a Development Engineering Plan, construction plans showing sidewalk along the two streets shall be submitted for review and approval;
3. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for the 40 feet of water main and fire hydrant to be located along Ambush Ranch Road;
4. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
6. Prior to submittal of a Final Plat application, that portion of the proposed plat located outside of the City's three mile platting jurisdiction shall be reviewed and approved by Pennington County;
7. Prior to submittal of a Final Plat application, the plat document shall show any necessary easements, including off-site easements;
8. Prior to submittal of a Final Plat application, the plat document shall be revised to show "US Highway 79" as "SD Highway 79" and to show "Wildhorse Court" as "Wildhorse Drive";
9. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements created with the proposed development. In addition, Major Drainage Easements shall be dedicated for all drainage improvements;
10. Prior to submittal of a Final Plat application, the Certificate of Highway or Street Authority shall be signed by an authorized agent with the SD Department of Transportation and the Ranch at Black Gap Road District;
11. 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,
12. 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 create 5 residential lots and a Reservoir Lot. The lots range in size from 5.695 to 16.783 acres and are to be known as Lot 5R and Lot 6 through Lot 9, and Reservoir Lot 1 of Block 4 of the Ranch at Black Gap.

The property is located southeast of the intersection of S.D. Highway 79 and Ambush Ranch Road. Currently, a water reservoir is located on the proposed Reservoir Lot. The balance of the property 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 REPORT
January 5, 2023

No. 22PL138 - Preliminary Subdivision Plan

ITEM 6

STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Three Mile Platting Jurisdiction: Approximately 1/3 of the property is located within the City's three mile platting jurisdiction. The balance of the property is located in Pennington County's platting jurisdiction. As such, prior to submittal of a Final Plat application, that portion of the proposed plat located outside of the City's three mile platting jurisdiction must be reviewed and approved by Pennington County.

Zoning: The property is currently zoned Planned Unit Development by Pennington County which was approved to allow single family residential development with commercial uses along the entrance to the subdivision. The City's Future Land Use Plan identifies the appropriate use of the property as Low Density Neighborhood which supports single family residential development. As such, the proposed plat is in compliance with the City's Comprehensive Plan.

S.D. Highway 79: S.D. Highway 79 is located along the west lot line of the 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 minimum 36-foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water. Currently, S.D. Highway 79 is located in a 300-foot wide right-of-way and constructed with a four lane divided paved surface. An Exception has administratively been granted waiving the outstanding improvements with the exception of sidewalk as only City Council has the authority to waive sidewalk improvements. Prior to submittal of a Development Engineering Plan application, a Variance must be obtained from City Council waiving the requirement to construction sidewalk as noted or upon submittal of a Development Engineering Plan, construction plans showing sidewalk along the S.D. Highway 79 must be submitted for review and approval.

Ambush Ranch Road: Ambush Ranch Road is located along the north lot line of the property and is classified as a local street requiring that it be located in a minimum 52-foot wide right-of-way and constructed with curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Ambush Ranch Road is located in a 66-foot wide right-of-way and constructed with an approximate 24-foot wide paved surface and ditches for drainage. An Exception has administratively been granted waiving the outstanding improvements with the exception of sidewalk as only City Council has the authority to waive sidewalk improvements. Prior to submittal of a Development Engineering Plan application, a Variance must be obtained from City Council waiving the requirement to construction sidewalk as noted or upon submittal of a Development Engineering Plan, construction plans showing sidewalk along Ambush Ranch Road must be submitted for review and approval.

Section Line Highway: An unimproved section line highway is located along the south lot line of the property and is classified as a local street. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway located in the City's three mile platting jurisdiction must be submitted for review and approval showing the street constructed with a minimum 26-foot wide paved surface, curb, gutter, sidewalk, street light conduit, water

STAFF REPORT
January 5, 2023

No. 22PL138 - Preliminary Subdivision Plan

ITEM 6

and sewer. In addition, the construction plans must show the dedication of a 26-foot wide right-of-way, half of the required minimum 52-foot wide right-of-way, or an Exception must be obtained or the section line highway must be vacated by Pennington County. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application. Vacating the section line highway requires the signature of the adjacent property owner.

Drainage: The proposed development is not located in a drainage basin defined by the City. Given the size of the proposed lots, any increase in run-off will be negligible.

Water: The Ranch at Black Gap is currently served by a community water reservoir. The applicant has indicated that 40 feet of 6-inch water main and a fire hydrant will be constructed along Ambush Ranch Road to serve the proposed lots. Upon submittal of a Development Engineering Plan application, construction plans for the extension of water main and fire hydrant must be submitted for review and approval.

Sewer: The Ranch at Black Gap is currently served by on-site wastewater treatment systems. The applicant has indicated that each of the proposed lots will be served by a private septic tank and drainfield since the lots are large in size to accommodate this system. As a part of securing a building permit for future residential development on the proposed lots, the applicant must work with Pennington County to secure the required on-site wastewater permit(s).

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, a Construction Permit from Pennington County 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.

Certificate of Highway or Street Authority: The Pennington County Highway Department has indicated that the streets within the Ranch at Black Gap are located within the Ranch at Black Gap Road District. As such, in addition to the State's signature on the plat document, the Certificate of Highway or Street Authority must be signed by an authorized agent with the Ranch at Black Gap Road District.

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