

STAFF REPORT
March 9, 2023

No. 22PL152 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT	Christopher Hamm
AGENT	Janelle - KTM Design Solutions, Inc.
PROPERTY OWNER	Dean Hamm Trustee/Christopher Hamm, Hamm Trust, Storage Place
REQUEST	No. 22PL152 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lot 2 of the SE1/4 of the SE1/4 of Section 29, T1N, R7E, BHM, less Red Rock Estates and less right-of-way and that portion of the W1/2 of the NE1/4 of the SE1/4 of Section 29, T1N, R7E, BHM, lying south of Portrush Road that lies outside of the City of Rapid City Corporate Boundaries less Red Rock Estates and less right-of-way and that portion of the E1/2 of the NE1/4 of the SE1/4 of Section 29, T1N, R7E, BHM, lying outside of the City of Rapid City Corporate Boundaries, less right-of-way located in the SE1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Plat of Lots A through G of Red Rock Shadows No. 2 Subdivision
PARCEL ACREAGE	Approximately 24.31 acres
LOCATION	Intersection of Sheridan Lake Road, Dunsmore Road and Muirfield Drive
EXISTING ZONING	Planned Unit Development (Pennington County)
FUTURE LAND USE DESIGNATION	Mixed Use Commercial and Urban Neighborhood
SURROUNDING ZONING	
North:	Low Density Residential District II - Office Commercial Distirct
South:	General Commercial District
East:	Agricultural District (Pennington County)
West:	General Agricultural District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	December 29, 2022

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REVIEWED BY

Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends **acknowledgment of the withdrawal of the application.**

GENERAL COMMENTS:

Update: 2/15/23 (All revised or added text is shown in bold text) This item was originally on the January 26, 2023 Planning Commission agenda. At the applicant's request, the item was continued to the February 23, 2023 Planning Commission meeting. On February 10, 2023, the applicant withdrew the application. Staff recommends that the Planning Commission acknowledge the withdrawal of the application.

The applicant has submitted a Preliminary Subdivision Plan to create 4 commercial lots and 3 residential lots. The lots range in size from 1.17 acres to 14.85 acres and are to be known as Lots A through G of Red Rock Shadows Subdivision No. 2.

The applicant has also submitted a Comprehensive Plan Amendment to the Major Street Plan (File #21CA002) to change the classification of Dunsmore Road from a minor arterial street to a collector street as it abuts the subject property.

The property is located between Muirfield Drive and Dunsmore Road, along the north side of Sheridan Lake Road. Currently, a mini-storage facility is located on proposed Lot A and a single family residence is located on proposed Lot F. In addition, a sign is located on proposed Lot D. The balance of the property 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:

Pre-submittal Meeting: Chapter 16.080.070.B of the Rapid City Municipal Code requires that the applicant, or the applicant's consultant, schedule a pre-submittal meeting with the Development Review Engineer. The meeting shall be held after the consultant has completed the construction plans and design report in compliance with the Infrastructure Design Criteria Manual. The purpose of the meeting is to allow the consultant to discuss all assumptions, methods, and any other necessary information relevant to the design of the project, as well as to allow the Development Review Engineer to verify the completeness of the construction plans and design report prior to the consultant submitting a development engineering plan application. As such, prior to submittal of a Development Engineering Plan application, a pre-submittal meeting for this application must be scheduled with the Development Review Engineer pursuant to Chapter 16.080.070.B.

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Annexation/Zoning: The property is currently zoned Planned Unit Development by Pennington County and is located adjacent to the existing city limit boundary of Rapid City. Chapter 16.04.090.B of the Rapid City Municipal Code states that whenever property within the subdivision which the owner desires to have platted into tracts, lots, or blocks is contiguous to Rapid City, the property shall be annexed to Rapid City. Subsequently, prior to submittal of a Final Plat application, the property must be annexed into the city limits of Rapid City.

Upon annexation the property will be zoned No Use District. The City's Future Land Use Plan identifies the four proposed commercial lots as appropriate for Mixed Use Commercial and the three proposed residential lots as appropriate for Urban Neighborhood development. The applicant should be aware that they have a maximum of 120 days from the date of annexation or prior to submittal of a building permit, whichever occurs first, to rezone the subject property from No Use District to General Commercial District for the area of the 4 commercial lots and to a residential zoning district, such as Low Density Residential I District, Low Density Residential II District or Medium Density Residential District, for the area of the 3 residential lots. Overall, the proposed plat aligns with the City's Comprehensive Plan.

Sheridan Lake Road: Sheridan Lake Road is located along the south side of the subject property and is classified as a principal arterial street on the City's Major Street Plan requiring it 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, Sheridan Lake Road is located in an 80-foot wide right-of-way. The proposed plat identifies the dedication of an additional 10 feet of right-of-way along Sheridan Lake Road. Upon submittal of a Development Engineering Plan application, construction plans for Sheridan Lake Road, must be submitted for review and approval to show additional pavement if needed to secure a minimum 36-foot wide surface, curb, gutter, sidewalk and water or must meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application. The Final Plat document must also continue to show the proposed dedication of 10 additional feet of right-of-way along Sheridan Lake Road.

This portion of Sheridan Lake Road is a County highway and will remain so with the platting of this property. The Pennington County Highway Department has indicated that the existing approach along Sheridan Lake Road that aligns with proposed Lot C was allowed 20 plus years ago and was intended for a single family residence and agricultural use. With development of the area, traffic and the addition of a traffic signal at the intersection of Sheridan Lake Road and Dunsmore Road intersection, the access point will no longer be allowed. The Pennington County Highway Department has also indicated that the existing approach must be removed and that no additional access along Sheridan Lake Road will be allowed. However, the proposed plat identifies a shared approach along the common lot line of proposed Lot C and D as they abut Sheridan Lake Road. Subsequently, upon submittal of a Development Engineering Plan application, the plat document must be revised removing the proposed shared approach. In addition, the applicant must demonstrate how access will be provided to proposed Lot B pursuant to access approach clearances set forth in the Infrastructure Design Criteria Manual.

Proposed Lot D is located in the northeast corner of the intersection of Muirfield Drive and Sheridan Lake Road. In addition, Lot C is designed as a flagpole lot, extending to Muirfield

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Drive. The plat identifies a 40-foot by 40-foot shared approach along the common lot line of Lot C and D as they abut Muirfield Drive. This shared approach provides access to both lots in compliance with the Infrastructure Design Criteria Manual access approach clearance requirements.

Muirfield Drive: Muirfield Drive is located along the west lot line of the subject property and is identified as a collector street requiring that it be located in a minimum 68-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as the street extends north from Sheridan Lake Road and constructed with a minimum 24-foot wide paved surface with no on-street parking, curb, gutter, street light conduit, water and sewer. Currently, Muirfield Drive is located in a 52-foot wide right-of-way and constructed to collector street standards with the exception of street light conduit and sewer. The plat identifies the dedication of 8 additional feet of right-of-way along Muirfield Drive but does not provide the 5-foot of additional right-of-way required the first 200 feet as the street extends north from Sheridan Lake Road. Upon submittal of a Development Engineering Plan application, construction plans for street light conduit and sewer must be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or must meet criteria for obtaining an Exception. In addition, the plat document must be revised to show the dedication of 13 additional feet of right-of-way extending 200 feet north of the intersection of Muirfield Drive and Sheridan Lake Road and continue to show the proposed dedication of 8 additional feet of right-of-way the balance of Muirfield Drive as it abuts the subject property. If Exception(s) are obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application.

Dunsmore Road: Dunsmore 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 it 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, water and sewer. Currently, Dunsmore Road is located in a 66-foot wide section line highway and constructed to minor arterial standards with the exception of street light conduit and sidewalk. As previously noted, the applicant has submitted a Comprehensive Plan Amendment to the Major Street Plan to change the classification of this portion of Dunsmore Road from a minor arterial street to a collector street which would reduce the required right-of-way wide from 100 feet to 68 feet. Subsequently, the proposed plat currently identifies the proposed dedication of one foot of additional right-of-way for a collector street. Upon submittal of a Development Engineering Plan application, construction plans for Dunsmore Road must be submitted for review and approval showing the installation of street light conduit and sidewalk or must meet criteria for obtaining an Exception. In addition, the plat document must be revised to show the dedication of 17 additional feet of right-of-way or a Comprehensive Plan Amendment to the Major Street Plan must be obtained to change the classification of the street from a minor arterial street to a collector street. If Exception(s) are obtained, a copy of the approved documents must be submitted with the Development Engineering Plan application.

Common Access Easement: The plat document identifies a proposed 40-foot wide common access easement extending from Muirfield Drive across Lot E to serve as access to Lot F. The easement will serve as a driveway to Lot E. As such, upon submittal of a Development Engineering Plan application, construction plans for the proposed access easement must be submitted for review and approval showing the installation of a minimum 20-foot wide paved

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surface, curb, gutter and street light conduit. In addition, a turn-around in compliance with Section 2.13.2 of the Infrastructure Design Criteria Manual must be provided at the terminus of the easement or must meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved documents must be submitted with the Development Engineering Plan application.

Sewer: Sanitary sewer is currently installed along Dunsmore Road and Sheridan Lake Road. As a part of this plat, sanitary sewer is required along Muirfield Drive unless an Exception is obtained. Upon submittal of a Development Engineering Plan application, a design report must be submitted for review and approval verifying capacity of the existing sanitary sewer in this area.

Water: The subject property is located in the Red Rock Pressure Zone which serves elevations of 3,680 feet to 3,920 feet. Water does not currently exist along Sheridan Lake Road; however, it is required in order to provide a loop for the water system. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report must demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, easements must be dedicated as needed.

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.