

STAFF REPORT  
March 23, 2017

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**No. 17PL017 - Preliminary Subdivision Plan**

**ITEM 6**

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GENERAL INFORMATION:

APPLICANT	Wayne Bunge - Rockerville Volunteer Fire Department
AGENT	FMG, Inc.
PROPERTY OWNER	Rockerville Volunteer Fire Department
REQUEST	<b>No. 17PL017 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	Lot 1 of RDF Subdivision and a portion of the S1/2 of the SW1/4 of Section 8, T1S, R7E, BHM, less RFD Subdivision, less Lot A of the SE1/4 of the SW1/4 and less right-of-way located in the S1/2 of the SW1/4 of Section 8, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1R of RFD Subdivision
PARCEL ACREAGE	Approximately 1.5 acres
LOCATION	Along U.S. Highway 16
EXISTING ZONING	Highway Service District (Pennington County)
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	General Agricultural District (Pennington County)
South:	Highway Service District (Pennington County)
East:	Highway Service District (Pennington County)
West:	Highway Service District (Pennington County)
PUBLIC UTILITIES	Private on-site wastewater and proposed on-site water
DATE OF APPLICATION	February 24, 2017
REVIEWED BY	Vicki L. Fisher / Dan Kools

RECOMMENDATION:

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

1. Prior to submittal of a Final Plat application, Development Engineering Plan application, the plat document shall be revised to address redline comments. In addition, the redline comments shall be returned with the Development Engineering Plan application;

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2. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of 16 feet of right-of-way or a highway/utility easement along 47<sup>th</sup> Avenue West;
3. Prior to submittal of a Final Plat application, the applicant shall demonstrate that adequate fire flows are available or as an alternative to providing fire flows, a Covenant Agreement shall be submitted for recording at the Register of Deed's Office to ensure that fire sprinkler protection is designed and installed as per NFPA 13 throughout all new structures; and,
4. Prior to submittal of a Final Plat application, the plat document shall be revised to include the following statement: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install a total wastewater containment system for each lot. Prior to installation of such system, plans stamped by a qualified person shall be submitted and approved by the City of Rapid City or Pennington County, whoever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whomever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations."

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to create a 1.5 acre lot, leaving an unplatted balance. The lot is to be known as Lot 1R of RFD Subdivision.

The property is located outside of the City limits, within the City's three mile platting jurisdiction. In particular, the property is located approximately 950 feet east of the intersection of Wilderness Canyon Road and U.S. Highway 16, on the north side of U.S. Highway 16. Currently, the Rockerville Fire Station and a billboard sign are located on the property.

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 Highway Service District by Pennington County. As previously noted, the Rockerville Fire Station and a billboard are located on the property. Fire stations are a permitted use in the Highway Service District. Outdoor advertising, including billboards as regulated in Section 213 of the Pennington County Zoning Ordinance are also permitted uses within the district. Future changes and or expansion of land uses on the property will require that a building permit be obtained from the Pennington County Planning Department.

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Street Improvements: U.S. Highway 16, a principal arterial street, is located along the south lot line and 47<sup>th</sup> Avenue West, a local street, is located along the north lot line. U.S. Highway 16 is currently located in a 300 foot wide right-of-way and constructed as a four lane divided highway. Access to the property is taken from 47<sup>th</sup> Avenue West. Currently, 47<sup>th</sup> Avenue West is located within a 50 foot wide "roadway for public use" easement and constructed with a 21 foot wide paved surface. The applicant has submitted and staff has approved Exception request(s) to waive constructing curb, gutter, sidewalk, street light conduit, water and sewer along the two streets. The Exception request to waive the requirement to dedicate right-of-way and/or widen the easement for 47<sup>th</sup> Avenue West was denied. The Pennington County Highway Department has indicated that the street must be located in a minimum 66 foot wide right-of-way and/or easement. Since the existing 50 foot wide easement was dedicated from the adjacent property, Pennington County Highway Department has indicated that the additional required 16 foot wide easement and/or right-of-way must be dedicated from this property. Staff recommends that prior to submittal of a Final Plat application, the plat document be revised to show the dedication of the right-of-way or easement as required by the Pennington County Highway Department.

Water: There are no community water services within this area. Most properties are served by private on-site wells. Currently, there is no water service to this property. The applicant has indicated that the proposed plat, acquiring acreage from the adjacent property, will provide an area to drill a well. Prior to submittal of a Final Plat application, the applicant must demonstrate that the proposed well will provide adequate fire flows or as an alternative to providing fire flows, a Covenant Agreement must be submitted for recording at the Register of Deed's Office to ensure that fire sprinkler protection is designed and installed as per NFPA 13 throughout all new structures.

Sewer: Currently, an on-site wastewater system, consisting of a septic tank and drainfield serve the property. Any future on-site wastewater system or system expansion must be approved by Pennington County.

Redline Comments: The City's GIS Division has noted a few changes on the proposed plat document. Prior to submittal of a Final Plat application, the plat document must be revised to address the redline comments.

Platting Process: The proposed plat does not require any subdivision improvements since Exceptions were obtained waiving the requirement to improve the two adjacent streets. Without subdivision improvements, a Development Engineering Plan application is not required. Subsequently, upon City Council approval of the Preliminary Subdivision Plan, a Final Plat application can be submitted for review and approval. The applicant should be aware that since a Development Engineering Plan application is not required, the plat application submittal fee of \$250.00 plus \$20.00 per lot must be submitted with the Final Plat application.

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