

STAFF REPORT
November 22, 2017

No. 17PL106 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

APPLICANT	Hewey Clemmons
AGENT	Britton Engineering and Land Surveying, Inc.
PROPERTY OWNER	Hewey Clemmons and Harley Mohr
REQUEST	No. 17PL106 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lot 3 and the S1/2 of the SW1/4 less part of Lot 1 of Trask Subdivision, less Clemmons Addition and less Lot H1 of Section 14, T1N, R8E and the NE1/4 of the NW1/4 less Green Valley Estates Subdivision; the NW1/4 of the NW1/4 less Tracts 1 and 2 of Section 23, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots C, D, E, F, G and H of Clemmons Addition
PARCEL ACREAGE	Approximately 115.7 acres
LOCATION	Southeast of the intersection of Reservoir Road and Highway 44
EXISTING ZONING	Limited Agricultural District (Pennington County)
FUTURE LAND USE DESIGNATION	Rural Residential
SURROUNDING ZONING	
North:	Limited Agricultural District (Pennington County)
South:	Limited Agricultural District (Pennington County)
East:	Limited Agricultural District (Pennington County) - Suburban Residential District
West:	Limited Agricultural District (Pennington County)
PUBLIC UTILITIES	Private on-site wastewater and water
DATE OF APPLICATION	October 10, 2017
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

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1. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway shall be submitted for review and approval showing the construction of a street with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer or an Exception shall be obtained or the section line highway shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted providing a sidewalk along all streets or a Variance shall be obtained from the City Council waiving the requirement;
3. Upon submittal of a Development Engineering Plan application, a drainage plan shall be submitted for review and approval if subdivision improvements are required. The drainage plan shall address storm water quantity control and storm water quality treatment, in conformance with the Infrastructure Design Criteria Manual and Rapid City Municipal Code. In addition, the plat document shall be revised to provide drainage easements as necessary;
4. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual and a grading plan shall be submitted for review and approval if subdivision improvements are required;
5. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. 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;
6. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
8. Upon submittal of a Final Plat application, a Covenant Agreement shall be submitted for recording at the Register of Deed's Office to ensure that residential fire sprinkler protection is designed and installed as per NFPA 13D throughout all new residential structures;
9. Prior to submittal of a Final Plat application, the following note shall be placed on the plat: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install an on-site wastewater treatment system for each lot. Prior to installation of such system, plans prepared by a qualified person shall be submitted and approved as required by the City of Rapid City or Pennington County, whomever 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";
10. Prior to submittal of a Final Plat application, the existing shed located on proposed Lot D shall be relocated outside of the section line highway in compliance with the land area

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- regulations identified within the Pennington County Zoning Ordinance or the section line highway shall be vacated;
11. Prior to submittal of a Final Plat application, the applicant shall enter into an agreement with Green Valley Sanitary District to ensure water and/or sewer connections to the Green Valley Sanitary District are secured when services are available to serve the property;
 12. 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,
 13. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan to subdivide 115.7 acres into 6 lots. The lots range in size from 10.012 acres to 59.092 acres and are to be known as Lots C, D, E, F, G and H of Clemmons Addition.

The property is located east of Reservoir Road on the north and south side of Green Valley Drive. Currently, a residence with accessory structures is located on proposed Lot E and a shed is located on proposed Lot D. 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 REVIEW:

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

Zoning: The property is currently zoned Limited Agriculture District by Pennington County which requires a minimum ten acre lot size. As previously noted, the proposed lots range in size from 10.012 acres to 59.092 acres which meets the lot size requirement of the Limited Agriculture District. The City's Future Land Use Plan identifies the appropriate use of the property as Rural Residential which supports lots with a minimum three acre lot size. The proposed plat is also in compliance with the City's Future Land Use Plan.

Section Line Highway: An east-west section line highway extends through 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, sewer and water. Currently, the 66 foot wide section line highway is unimproved. As such, upon submittal of a Development Engineering Plan application, construction plans for the section line highway must be submitted for review and approval showing the construction of a street as identified or an Exception must be obtained or the section line highway must be vacated. If an Exception is obtained, a copy of the

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approved Exception must be submitted with the Development Engineering Plan application.

The applicant has submitted a site plan showing a shed currently located on proposed Lot D within the section line highway. Structural development is not allowed within the section line highway. As such, prior to submittal of a Final Plat application, the shed must be moved from the section line highway in compliance with the land area regulations identified within the Pennington County Zoning Ordinance or the section line highway must be vacated.

Reservoir Road: Reservoir Road is located along the west lot line of the property and is identified as a principal 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, Reservoir Road is located in a 66 foot wide right-of-way and constructed with an approximate 20 foot wide paved surface. The applicant has submitted and staff has approved an Exception request to waive the requirement to construct curb, gutter, street light conduit, water and sewer along Reservoir Road. In addition, the plat document shows the dedication of 17 additional feet of right-of-way along the west lot line for Reservoir Road. Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval providing a sidewalk along the street or a Variance must be obtained from the City Council waiving the requirement.

Green Valley Drive: Green Valley Drive extends through the property and is classified as a collector street on the City's Major Street Plan requiring that it be located in a minimum 68 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Green Valley Drive is located in a 66 foot wide right-of-way and constructed with an approximate 20 foot wide paved surface. The applicant has submitted and staff has approved an Exception request to waive the requirement to construct curb, gutter, street light conduit, water and sewer along Green Valley Drive. In addition, the plat document shows the dedication of one additional foot of right-of-way along the Green Valley Drive. Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval providing a sidewalk along the street or a Variance must be obtained from the City Council waiving the requirement.

Greenfield Drive: Greenfield Drive is located along the southeast portion of the property and is classified as a local street requiring that it be located in a minimum 50 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Greenfield Drive is located in a 66 foot wide right-of-way and constructed with an approximate 20 foot wide paved surface. The applicant has submitted and staff has approved an Exception request to waive the requirement to construct curb, gutter, street light conduit, water and sewer along Greenfield Drive. Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval providing a sidewalk along the street or a Variance must be obtained from the City Council waiving the requirement.

Access Easement: An existing access easement extends north from Green Valley Drive to provide access to proposed Lot C. The easement is classified as a lane place street requiring that it be located in a minimum 50 foot wide easement and constructed with a

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minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, the access easement has a 40 foot wide width and is unimproved. The applicant has submitted and staff has approved an Exception request to waive the requirement to construct curb, gutter, street light conduit, water and sewer along the access easement. In addition, the plat document shows the dedication of ten additional feet of easement width resulting in a total width of 50 feet. Upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval providing a sidewalk along the easement or a Variance must be obtained from the City Council waiving the requirement.

Water/Sewer: Currently, a well and a septic tank and drainfield located on proposed Lot E serve the existing single family residence also located on proposed Lot E. The applicant has indicated that a private well and similar on-site wastewater system will serve the balance of the proposed lots. The property is located within the Green Valley Sanitary District. To date, services are not available to serve the property. However, the Green Valley Sanitary District has stated that prior to submittal of a Final Plat application, the applicant must enter into an agreement with Green Valley Sanitary District to ensure water and/or sewer connections to the Green Valley Sanitary District are secured when services are available to serve the property.

Fire Department: The Rapid City Fire Department has indicated that due to the rural location of the subdivision and that water is not available to support required fire flows for residential development, residential fire sprinkler protection must be designed and install as per NFPA 13D throughout all new residential structures. As such, upon submittal of a Final Plat application, a Covenant Agreement must be submitted for recording at the Register of Deed's Office to ensure that residential fire sprinkler protection is designed and installed as identified.

Drainage: Upon submittal of a Development Engineering Plan application, a grading plan and a drainage plan must be submitted for review and approval if subdivision improvements are required. The drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. If on-site detention is required, then design calculations and details for the detention must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements 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 if subdivision improvements are 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

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public improvements. Staff recommends that a Development Agreement must be entered into with the City for all public improvements if subdivision improvements are required.

Platting Process: If an Exception is obtained to waive the requirement to improve the section line highway or the section line highway is vacated and a Variance is obtained to waive the requirement to provide sidewalk along the street(s), then a Development Engineering Plan application is not necessary since subdivision improvements would not be required. Subsequently, the applicant can proceed with the submittal of a Final Plat application. However, the \$250.00 application fee plus \$20.00 per lot that is collected at the time of submittal of a Development Engineering Plan application must be paid as a part of the Final Plat submittal.

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