

STAFF REPORT

January 23, 2003

No. 03PL001 - Preliminary and Final Plat

ITEM 36

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	No. 03PL001 - Preliminary and Final Plat
EXISTING LEGAL DESCRIPTION	Lot 3, Block 15, of Canyon Lake Heights Subdivision located in the SE1/4 SE1/4 Section 8 and the SW1/4 of Section 9; all in T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A, B, and C, Canyon Lake Heights Subdivision, located in the SE1/4 SE1/4 Section 8 and the SW1/4 of Section 9; all in T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.17 acres
LOCATION	Along Cliff Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Park Forest District w/Planned Residential District
PUBLIC UTILITIES	City sewer and community water
DATE OF APPLICATION	12/27/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Preliminary and Final Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to Preliminary Plat approval by the City Council, water plans showing the design of the proposed community water system shall be submitted for review and approval. In addition, the design of the proposed community water system shall demonstrate that domestic flow requirement(s) are being met;

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2. Prior to Preliminary Plat approval by the City Council, a water permit shall be obtained from the South Dakota Department of Environment and Natural Resources to allow the well to serve the proposed development;
3. Prior to Preliminary Plat approval by the City Council, a homeowners agreement shall be submitted for review and approval demonstrating maintenance of the community well until such time as City water is available to the property. In addition, the applicant shall enter into an agreement with the City stating that the property owner(s) shall install fire hydrants as required upon connecting to City water;
4. Prior to Preliminary Plat approval by the City Council, the revised sewer plans showing sanitary sewer service location(s) shall be submitted for review and approval;
5. Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement along Cliff Drive and the first fifty feet of Miracle Place;
6. Prior to Preliminary Plat approval by the City Council, a complete grading plan shall be submitted for review and approval. In addition, a drainage study incorporating hydrology and hydraulic calculations demonstrating that the drainage channel has been designed correctly shall be submitted for review and approval. Sediment controls shall also be shown;
7. Prior to Preliminary Plat approval by the City Council, all affected utilities shall concur with the proposed section line highway vacation or road construction plans for the section line highway shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained waiving the requirement to improve the section line highway;
8. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Engineering Division;

Fire Department Recommendations:

9. Prior to Preliminary Plat approval by the City Council, the applicant shall submit a Wild Land Fire Mitigation Plan for review and approval. In addition, the Wild Land Fire Mitigation Plan shall be implemented prior to Final Plat approval by the City Council;
10. A Special Exception is hereby granted to reduce the right-of-way width of the hammerhead turnaround located at the terminus of Miracle Place from 40 feet to 30 feet;

Emergency Services Communication Center Recommendation:

11. Prior to Final Plat approval by the City Council, a road name change shall be approved to change the road name of "Miracle Place". The proposed road name shall be reviewed and approved by the Emergency Services Communication Center and, subsequently, approved by the City Council;

Register of Deed's Office Recommendation:

12. Prior to Final Plat approval by the City Council, the plat document shall be revised to show the heading as "Lots A, B and C of Miracle Place Subdivision" or "Lots A, B, C of Lot 3, Block 15 of Canyon Lake Heights Subdivision";

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Urban Planning Division Recommendations:

12. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the location of the well outside of the minimum required setbacks or a Variance to the Zoning Ordinance must be obtained.
13. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
14. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide two parcels into four lots. The lots range in size from .422 acres to .739 acres. The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and water along Cliff Drive and Miracle Place. The property is located in the southwest corner of the Miracle Place/Cliff Drive intersection. Currently, the property is void of any structural development.

On May 6, 2002, the City Council approved Layout Plat #02PL035 to subdivide the subject property into four lots. On November 4, 2002, the City Council acknowledged the applicant's request to withdraw Preliminary Plat #02PL085 to subdivide the property into four lots as shown on the previously approved Layout Plat. At the September 5, 2002 Planning Commission meeting, several area property owners opposed the proposed subdivision citing concerns with access and water.

STAFF REVIEW:

Staff has reviewed the Preliminary and Final Plat and has noted the following considerations:

Water: City water is currently located approximately 1/4th mile northeast of the subject property. As such, the applicant has indicated that a private well will serve as a community water source for the proposed four lot development until City water is available to the property. The plat identifies that a community well will be located on a separate "well lot" requiring that all setbacks to the well house be met. The Low Density Residential District requires a minimum 35 foot front and side yard setback and a minimum 25 foot rear yard setback for a main structure that is not a dwelling unit. The well lot currently measures 59.5 feet by 25 feet. As such, the plat document must be revised to increase the size of the well lot in order to provide the minimum required setbacks. The applicant also has the option of locating the well within a utility easement; however, all setbacks must continually be maintained. Prior to Preliminary Plat approval by the City Council, the plat document must be revised to show the location of the well outside of the minimum required setbacks or a Variance to the Zoning Ordinance must be obtained.

The Engineering Division has indicated that a water permit must be obtained from the South

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Dakota Department of Environment and Natural Resources to allow the well to serve the proposed development. The Engineering Division has also indicated that water plans showing the design of the proposed community water system must be submitted for review and approval. In addition, the design of the proposed community water system must demonstrate that domestic flow requirement(s) are being met

The Engineering Division has also indicated that a homeowners agreement must be submitted for review and approval demonstrating maintenance of the community well until such time as City water is available to the property. In addition, the applicant must enter into an agreement with the City stating that the property owner(s) will install fire hydrants as required upon connection to City water.

Grading and Drainage: The Engineering Division has indicated that the grading plan does not extend to the property line of the subject property. As such, a complete grading plan must be submitted for review and approval. In addition, a drainage study incorporating hydrology and hydraulic calculations demonstrating that the drainage channel has been designed correctly must be submitted for review and approval. Sediment controls must also be shown. Prior to Preliminary Plat approval by the City Council, the above referenced information must be submitted for review and approval.

Fire Department: The Fire Department has indicated that the property is located in a moderate to High Wild Land Fire Hazard Area. In order to allow a community water system to serve as an interim water supply until City water is available to the property, the Fire Department has indicated that the applicant must submit a Wild Land Fire Mitigation Plan for review and approval prior to Preliminary Plat approval. In addition, the Wild Land Fire Mitigation Plan must be implemented prior to Final Plat approval.

The applicant has requested a Special Exception to allow the hammerhead turnaround located at the terminus of Miracle Place to be 30 feet wide in lieu of 40 feet as required by the Street Design Criteria Manual. The Fire Department has indicated that the 30 foot wide turnaround will accommodate fire apparatus and, as such is recommending that the Special Exception be granted.

Access: Cliff Drive is located along the east lot line of proposed Lot D and Miracle Place is located along the north lot line. Currently, curb, gutter, sidewalk and water have not been constructed along either roadway. As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to improve the two streets as identified. Prior to Preliminary Plat approval by the City Council, the Variance to the Subdivision Regulations must be obtained or construction plans showing these improvements must be submitted for review and approval.

Section Line: A north-south section line highway is located through the middle of proposed Lot A. The applicant is proposing to vacate the section line highway as a part of this plat procedure. To date, none of the affected utility companies have indicated that they concur

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with the proposed vacation. Prior to City Council approval of the Preliminary Plat, all of the affected utility companies must concur with the proposed vacation or road construction plans for the section line highway must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained to waive the street improvements.

Road Name: The Emergency Services Communication Center has indicated that a road located off Sheridan Lake Road near the Countryside South Subdivision is already named Miracle Place. To date, several homes are currently addressed off that roadway. The Emergency Services Communication Center has also indicated that no homes are currently addressed off Miracle Place as it abuts the subject property. As such, prior to Final Plat approval, a road name change must be approved for Miracle Place. The Emergency Services Communication Center has indicated that alternate road names for the street must be submitted for review and approval.

Plat Title: The Register of Deed's Office has indicated that the plat title must be revised to eliminate "Plat of Miracle Place" in the heading. The proposed title is similar to an existing subdivision. The plat heading should read "Lots A, B and C of Miracle Place Subdivision" or "Lots A, B, C of Lot 3, Block 15 of Canyon Lake Heights Subdivision". Prior to Final Plat approval by the City Council, the plat document must be revised as identified.

Staff believes that the proposed plat generally complies with all applicable zoning and subdivision regulations assuming compliance with the states stipulations.