

STAFF REPORT
August 8, 2013

No. 13PL072 - Preliminary Subdivision Plan

ITEM 2

GENERAL INFORMATION:

AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Brent K. Voorhees
REQUEST	No. 13PL072 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	Lot AR of Lot 4R of Block 15 and Lot 5R of Block 15 of Canyon Lake Heights Subdivision, located in the SE1/4 of the SE1/4 of Section 8 and the SW1/4 of the SW1/4 of Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots AR-1 and AR-2 of Lot 4R of Block 15 and Lot 5R-1 of Block 15, Canyon Lake Heights Subdivision
PARCEL ACREAGE	Approximately 4.943 acres
LOCATION	Southwest of the intersection of Cliff Drive and Farview Drive
EXISTING ZONING	Low Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Park Forest District (Planned Development)
PUBLIC UTILITIES	City sewer and a private shared well
DATE OF APPLICATION	July 5, 2013
REVIEWED BY	Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

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

1. Prior to submittal of a Development Engineering Plan application, redlined comments shall be addressed or an Exception to the Infrastructure Design Criteria Manual or the Standard Specifications, as applicable, shall be obtained. The redlined comments and/or

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- copies of the approved Exceptions shall be submitted with the Development Engineering Plan application;
2. 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. 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;
 3. Upon submittal of a Development Engineering Plan application, construction plans for Cliff Drive as it abuts the property shall be submitted for review and approval showing the street with a minimum pavement width of 26 feet, curb, gutter, sidewalk, street light conduit, and water or an Exception shall be obtained. In addition, the plat document shall be revised to show the dedication of one additional foot of right-of-way or an Exception shall be obtained. If Exception(s) are obtained, a copy of the approved Exceptions shall be submitted with the Development Engineering Plan application;
 4. Upon submittal of a Development Engineering Plan application, construction plans for the section line highways as they abut the property shall be submitted for review and approval showing the installation of a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained or the section line highways shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. In addition, the plat document shall be revised to show the existing section line highway located along the south lot line of proposed Lot 5R-1. The plat document shall also show the section line highway located on proposed Lot AR-1 or show that the section line highway has vacated;
 5. Upon submittal of a Development Engineering Plan application, construction plans showing a water service line from the existing well located on proposed Lot AR-2 to proposed Lot AR-1 shall be submitted for review and approval. In addition, the plat document shall be revised to provide easement(s) as needed;
 6. Upon submittal of a Development Engineering Plan application, the location and width of the drainage channel located in the northeast corner of proposed Lot 5R-1 shall be confirmed and the plat document shall be revised to provide a drainage easement to accommodate the 100 year storm;
 7. 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 shall be submitted for review and approval;
 8. Upon submittal of a Development Engineering Plan application, written documentation from all of the affected utility companies shall be submitted indicating concurrence with the proposed vacation of the existing 20 foot wide utility easement located on proposed Lot AR-1 or the plat document shall be revised to show retaining the utility easement;
 9. 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;
 10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 11. Prior to submittal of a Final Plat application, the shed located on the proposed common lot line between Lot AR-1 and AR-2 shall be removed or relocated to an area on proposed Lot AR-2 in compliance with the setback requirements of the Low Density Residential District;

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12. Prior to submittal of a Final Plat application, the well maintenance agreement shall be amended to include proposed Lot AR-1. In addition, a copy of the revised agreement shall be submitted with the Final Plat application;
13. 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,
14. 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 two lots into three lots. The proposed lots are sized 0.749, 0.829 and 3.365 acres, respectively, and are to be known as Lot AR-1 and Lot AR-2 of Lot 4R and Lot 5R-1 of Block 15, Canyon Lake Heights Subdivision.

On January 18, 2013, the applicant submitted a Layout Plan application proposing to subdivide the property as shown on the Preliminary Subdivision Plan application. On February 4, 2013, the applicant was provided comments identifying subdivision and zoning issues that must be addressed in order to subdivide the property as proposed. Subsequently, Exceptions were requested and granted waiving the requirement to improve the access easement to City Street Design Standards with the stipulation that if fire flows cannot be provided to proposed Lot AR-1, a covenant agreement requiring a residential fire sprinkler for future residential development on proposed Lot AR-1 may be required prior to submittal of a Final Plat. The applicant is encouraged to continue to work with the Rapid City Fire Department to determine if a residential fire sprinkler will be needed.

On June 4, 2013, the Zoning Board of Adjustment granted a Variance waiving the requirement that Lot AR-1 abut a public street a minimum distance of 25 feet as per Chapter 17.10.050.E of the Rapid City Municipal Code.

The property is located west of the intersection of Cliff Drive and Fairview Drive. Currently, a shed is located on the proposed common lot line between Lot AR-1 and Lot AR-2. In addition, a single family residence is located on proposed Lot AR-2. A single family residence and a detached garage are also located on proposed Lot 5R-1.

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 zoned Low Density Residential District. The proposed lots meet the minimum lot size requirements of the Low Density Residential District. The Low Density

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Residential District also requires that a lot abut a public street a minimum distance of 25 feet. A proposed 40 foot wide access easement will serve as access to proposed Lot AR-1 and, as such, the proposed lot will not abut a public street. As noted above, on June 4, 2013, the Zoning Board of Adjustment granted a Variance waiving the requirement that Lot AR-1 abut a public street a minimum distance of 25 feet as per Chapter 17.10.050.E of the Rapid City Municipal Code.

Shed: A shed is shown to be located on the common lot line between proposed Lots AR-1 and AR-2. Other than a portion of the shed, no other structure development exists on proposed Lot AR-1. Currently, a single family residence is located on proposed Lot AR-2. As such, prior to submittal of a Final Plat application, the shed must be removed from the property or relocated to an area on proposed Lot AR-2 in compliance with the setback requirements of the Low Density Residential District. Please note that the shed cannot be located on proposed Lot AR-1 until the principal use of the property is established, or in this case, a single family residence is located on the property.

Cliff Drive: Cliff Drive is classified as a local street requiring that it be located within a minimum 52 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, Cliff Drive is located within a 50 foot right-of-way and constructed with an approximate 18 foot to 20 foot wide paved surface and sewer. As such, upon submittal of a Development Engineering Plan application, construction plans for Cliff Drive as it abuts the property must be submitted for review and approval showing the street with a minimum pavement width of 26 feet, curb, gutter, sidewalk, street light conduit, and water or an Exception must be obtained. In addition, the plat document must be revised to show the dedication of one additional foot of right-of-way or an Exception shall be obtained. If Exception(s) are obtained, a copy of the approved Exceptions must be submitted with the Development Engineering Plan application.

Section Line Highways: A north-south section line highway is located within the western portion of proposed Lot 5R-1 and an east-west section line highway is located along the southern lot line of proposed Lot 5R-1. The section line highways are classified as lane place streets requiring that they be constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, the section line highways are undeveloped. As such, upon submittal of a Development Engineering Plan application, construction plans for the section line highways as they abut the property must be submitted for review and approval as identified or an Exception must be obtained or the section line highways must be vacated. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application. In addition, the plat document must be revised to show the existing section line highway located along the south lot line of proposed Lot 5R-1.

Utilities: An 8 inch sanitary sewer main exists in Cliff Drive and currently serves the single family residences located on proposed Lots AR-2 and 5R-1. Construction plans have been submitted showing the extension of a sewer main along the access easement to provide service proposed Lot AR-1. City water is currently not available within the area to provide water service to the properties. As such, a private community well located on proposed Lot AR-2 is being utilized to serve the existing residences on the property. Upon submittal of a

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Development Engineering Plan application, construction plans showing a water service line from the existing well located on proposed Lot AR-2 to proposed Lot AR-1 must be submitted for review and approval. In addition, the plat document must be revised to provide easement(s) as needed. In addition, prior to submittal of a Final Plat application, the well maintenance agreement must be amended to include proposed Lot AR-1. In addition, a copy of the revised agreement must be submitted with the Final Plat application.

Drainage: A natural regional drainage channel is located in the northeast corner of proposed Lot 5R-1. Upon submittal of a Development Engineering Plan application, the location and width of the drainage channel must be confirmed and the plat document must be revised to provide a drainage easement to accommodate the 100 year storm;

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. 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 be entered into with the City for all public improvements, if applicable.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

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