

STAFF REPORT
November 6, 2014

No. 14PL066 - Preliminary Subdivision Plan

ITEM 6

GENERAL INFORMATION:

APPLICANT	Aspen Ridge Lawn and Landscape, LLC
AGENT	Ferber Engineering Co., Inc.
PROPERTY OWNER	Al Sutton, Trustees/ Sutton Living Trust
REQUEST	No. 14PL066 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	A portion of Lot 1 of the SE1/4 of the SE1/4 of Section 29, T1N, R7E, Less Lot 1 of Flannery Subdivision, less Lot H1 of the SE1/4 of the SE1/4 and Lot P1 of the SE1/4 of the SE1/4 and less Lot B of Lot 1 of the SE1/4 of the SE1/4 of Section 29, T1N, R7E, inclusive of Lot A of Lot 1 of the SE1/4 of the SE1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lot 1 of Country Meadows Subdivision
PARCEL ACREAGE	Approximately 3.72 acres
LOCATION	At the southeast corner of the intersection of Croyle Avenue and Sheridan Lake Road
EXISTING ZONING	General Commercial District (Planned Development Designation) - Highway Service (Pennington County)
FUTURE LAND USE DESIGNATION	Mixed Use Commercial and Urban Neighborhood
SURROUNDING ZONING	
North:	General Agricultural District
South:	Suburban Residential Development (Pennington County)
East:	Highway Service (Pennington County) - Suburban Residential District (Pennington County)
West:	Highway Service (Pennington County)
PUBLIC UTILITIES	Colonial Pines Water District and private on-site wastewater
DATE OF APPLICATION	October 10, 2014
REVIEWED BY	Vicki L. Fisher / Bob Reiss

STAFF REPORT
November 6, 2014

No. 14PL066 - Preliminary Subdivision Plan

ITEM 6

RECOMMENDATION:

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

1. Upon submittal of a Development Engineering Plan application, construction plans showing the installation of water and sewer mains along Sheridan Lake Road shall be submitted for review and approval or an Exception shall be obtained. 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 showing the installation of water and sewer main(s) along Croyle Avenue shall be submitted for review and approval or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual or an Exception shall be obtained. The water plan and analysis shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, utility easements shall be secured as needed;
4. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval or Exception(s) shall be obtained. If a private on-site wastewater system is utilized, then an on-site wastewater plan prepared by a Registered Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;
5. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the City's Drainage Basin Plan shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary;
6. 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 if subdivision improvements are required;
7. Prior to Development Engineering Plan approval, 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 Registered Professional Engineer;
8. 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;
9. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
10. Prior to submittal of a Final Plat application, the property shall be annexed pursuant to Section 16.040.090 of the Rapid City Municipal Code;
11. Prior to submittal of a Final Plat application, the applicant shall demonstrate that the existing structural development is in compliance with the Rapid City Municipal Code. Any non-conforming structures shall be removed or surety posted for their removal;

STAFF REPORT
November 6, 2014

No. 14PL066 - Preliminary Subdivision Plan

ITEM 6

12. Prior to submittal of a Final Plat application, the proposed 10 foot wide water main easement extending to the Colonial Pine Hills Well Lot shall be included in the plat title or a miscellaneous document shall be recorded securing the easement and the plat document shall show the recording information for the easement;
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 create a 3.72 acre lot leaving a non-transferable balance. The proposed lot is to be known as Lot 1 of Country Meadows Subdivision.

The property is located in the southeast corner of Sheridan Lake Road and Croyle Avenue. Currently, a commercial building with a concrete patio, two single family residences and four sheds 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:

Annexation: The northern half of the proposed lot is currently located within the City limits of Rapid City with the balance of the property located outside of the City limits. Pursuant to Chapter 16.040.090 of the Rapid City Municipal Code, the balance of the lot must be annexed into the City prior to submittal of a Final Plat application. Upon annexation the property will be zoned No Use District and will be rezoned within 120 days after the effective date of the annexation.

Zoning: The northern portion of the proposed lot is located within the City limits of Rapid City and is currently zoned General Commercial District with a Planned Development Designation. The southern portion of the property is located outside of the City limits with the northern portion zoned Highway Service District and the southern portion zoned Suburban Residential District by Pennington County. As noted above, prior to submittal of a Final Plat application, that portion of the proposed lot located outside of the City limits must be annexed into the City. The City's Future Land Use Plan identifies the appropriate use of the property as Urban Neighborhood which would not support commercial use(s). As such, in order to rezone this portion of the property from No Use District to General Commercial District, the Future Land Use Plan must be amended to change the land use designation from Urban Neighborhood to Mixed Use Commercial. In addition, the Planned Development

STAFF REPORT
November 6, 2014

No. 14PL066 - Preliminary Subdivision Plan

ITEM 6

Designation currently located on the northern portion of the proposed lot should be extended to incorporate the entire property.

Structures: As previously noted, a commercial building with a concrete patio, two single family residences and four sheds are located on the property. The General Commercial District allows one residence on a commercial lot if used as a caretaker's residence. This may require that one or both residences be removed from the property or the use of the structure(s) changed to a permitted use within the General Commercial District prior to submittal of a Final Plat application. The applicant also has the option of posting surety with the Final Plat application to ensure that the structure(s) comply with the zoning district.

Sheridan Lake Road: Sheridan Lake Road is located along the north lot line of the property and is classified as a principle arterial street on the City's Major Street Plan requiring that the street 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, Sheridan Lake Road is located in an 80 foot wide right-of-way and constructed with a varying pavement width of 38 feet to 30 feet. The Preliminary Subdivision Plan identifies the dedication of 10 additional feet of right-of-way along Sheridan Lake Road. The applicant has submitted and staff has reviewed and approved an Exception request to waive the requirement to provide additional pavement, curb, gutter, sidewalk and street light conduit along Sheridan Lake Road with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements. The applicant has also submitted an Exception request to waive the requirement to install City sewer and water along Sheridan Lake Road. Staff has suspended this Exception request pending the submittal of information to justify the request. As such, upon submittal of a Development Engineering Plan application, construction plans showing the installation of water and sewer mains along Sheridan Lake Road must be submitted for review and approval or the Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Croyle Avenue: Croyle Avenue is located along the west lot line of the property and is classified as a local street requiring that the street 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, Croyle Avenue is located within a 66 foot wide right-of-way and constructed with an approximate 24 foot wide paved surface. The applicant has submitted and staff has reviewed and approved an Exception request to waive the requirement to provide additional pavement, curb, gutter, sidewalk and street light conduit along Croyle Avenue with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements. The applicant has also submitted an Exception request to waive the requirement to install City sewer and water along Croyle Avenue. Staff has suspended this Exception request pending the submittal of information to justify the request. As such, upon submittal of a Development Engineering Plan application, construction plans showing the installation of water and sewer mains along Croyle Avenue must be submitted for review and approval or the Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Water: The property is currently served by the Colonial Pine Hills Sanitary District. Upon

STAFF REPORT
November 6, 2014

No. 14PL066 - Preliminary Subdivision Plan

ITEM 6

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 or an Exception must be obtained. The water plan and analysis shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, utility easements must be secured as needed.

Sewer: Private on-site wastewater system(s) currently serve the existing development located on the proposed property. City sewer is located approximately 220 feet to the east of the proposed lot within the Sheridan Lake Road right-of-way. As previously noted, the applicant has submitted an Exception request to waive the requirement to extend sewer to serve the proposed lot. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval or the Exception must be obtained. If a private on-site wastewater system is utilized, then an on-site wastewater plan prepared by a Registered Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval.

Drainage: A grading plan and a drainage plan must be submitted for review and approval if any 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.

Platting Process: If the Exception(s) to waive the requirement to install City water and sewer are obtained, then a Development Engineering Plan application is not required as all subdivision improvements would then be in place. Subsequently, the applicant can proceed with the submittal of a Final Plat application.

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