

STAFF REPORT  
May 22, 2008

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**No. 08PL065 - Preliminary Plat**

**ITEM 21**

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GENERAL INFORMATION:

APPLICANT/Agent	Dream Design International, Inc.
PROPERTY OWNER	Copperfield Land Company, LLC
REQUEST	<b>No. 08PL065 - Preliminary Plat</b>
EXISTING LEGAL DESCRIPTION	Located in the E1/2 NW1/4 and the NE1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 20 of Block 1, located in portions of the E1/2 NW1/4 and the NE1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.6 acres
LOCATION	East of Copperfield Drive
EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Development Designation)
South:	Low Density Residential District (Planned Development Designation)
East:	Light Industrial District
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	4/25/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, the associated SDCL 11-6-19 Review to relocate the Rocky Mountain Pipeline shall be approved. In addition, prior to submittal of a Final Plat application, the pipeline shall be relocated or surety shall be posted;
2. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to

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- allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;
3. Prior to Preliminary Plat approval by the City Council, a non-access easement shall be shown along the entire north lot line of proposed Lot 1 as it abuts Homestead Street or an Exception shall be obtained to allow access from the higher order street;
  4. Prior to submittal of a Final Plat application, the plat document shall be revised to show the utility easement located along the common lot line of proposed Lots 16 and 17 as a 20 foot wide municipal utility easement. A note shall be placed on the plat stating that "the municipal utility easement is for the construction, operation, maintenance, inspection and repair of a sanitary sewer main. In addition, the easement shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees and shrubs";
  5. Prior to submittal of a Final Plat application, the plat document shall be revised to show the street name "Bar-5 Ranch Road" as "Bar Five Ranch Road";
  6. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
  7. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  8. 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,
  9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Plat to create 20 residential lots as Phase 1B of the Copperfield Vistas Subdivision. In addition, the applicant has submitted a SDCL 11-6-19 Review (File #08SR038) to relocate the existing Rocky Mountain Pipeline approximately 40 feet to the east lot line of this phase of the property.

On August 20, 2007 the City Council approved a Preliminary Plat (File #07PL015) to create 20 residential lots as Phase 1A of the Copperfield Vistas Subdivision. In addition, on August 9, 2007, the Planning Commission approved an Initial and Final Residential Development Plan for Phase 1A to allow a single family residential development on the property.

On May 5, 2008, the City Council approved a Preliminary Plat (File #08PL045) to create 23 residential lots as Phase 2A of the Copperfield Vistas Subdivision. On April 25, 2008, the applicant submitted an Initial and Final Residential Development Plan (File #08PD021) for Phase 2A to allow a single family residential development on the property. The Planning Commission will consider the request at their May 22, 2008 Planning Commission meeting.

The property is located south of Homestead Street and east of Copperfield Drive. The Rocky Mountain pipeline currently extends north to south through the property.

**STAFF REVIEW:**

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

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Zoning: The property is currently zoned Low Density Residential with a Planned Development Designation. The applicant should be aware that prior to issuance of a building permit, an Initial and Final Residential Development Plan must be reviewed and approved by the Planning Commission.

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed Preliminary Plat identifies that three of the lots will have a length twice the distance of the width. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception must be obtained to allow a lot twice as long as it is wide or the plat document must be revised to comply with the length to width requirement.

Rocky Mountain Pipeline Easement: The Preliminary Plat identifies an existing 52 foot wide No-Build Easement located along the east lot line of the property. The Rocky Mountain Pipeline is currently located within the easement. A condition of development of the easement states that "No dwelling, building, structure, or area of congregation may be within fifty (50) feet of Rocky Mountain Pipeline's pipelines, unless the pipelines are provided with a minimum 48 inches of cover". Leaving the pipeline in its current location precludes reasonable building envelopes on each of the proposed lots. As previously indicated, the applicant has submitted a SDCL 11-6-19 Review to relocate the pipeline approximately 40 feet east. In addition, the construction plans for the pipeline project show that the pipeline will have 60 inches of cover. Subsequently, relocating the pipeline as proposed will allow adequate building envelopes on each of the proposed lots. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the associated SDCL 11-6-19 Review to relocate the Rocky Mountain Pipeline be approved. In addition, prior to submittal of a Final Plat application, the pipeline must be relocated or surety must be posted.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

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

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final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of any public improvements, a Warranty Surety be submitted for review and approval if subdivision improvements are required.

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.