

STAFF REPORT
July 26, 2012

No. 12PD024 - Initial Planned Development Overlay

ITEM 12

GENERAL INFORMATION:

APPLICANT	Chapel Lane Water Company, Inc.
AGENT	Ron Davis - Davis Engineering, Inc.
PROPERTY OWNER	Chapel Lane Water Company, Inc.
REQUEST	No. 12PD024 - Initial Planned Development Overlay
EXISTING LEGAL DESCRIPTION	Lot A of Copperhill Ridge Subdivision located in the SE1/4 of the SW1/4 of Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.69 acres
LOCATION	At the current western terminus of Copperhill Drive
EXISTING ZONING	Low Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Park Forest District - Suburban Residential District (Pennington County)
East:	Low Density Residential District - Low Density Residential District (Planned Development) - Park Forest District
West:	Flood Hazard District
PUBLIC UTILITIES	Chapel Lane Water Association and Rapid Canyon Sanitary Sewer District
DATE OF APPLICATION	June 29, 2012
REVIEWED BY	Fletcher Lacock / Ted Johnson

RECOMMENDATION:

Staff recommends that the Initial Planned Development Overlay be approved with the following stipulations:

1. An exception is hereby granted to allow proposed Lot 1 of Lot A to abut an access easement in lieu of a public street for a minimum distance of 25 feet as per Chapter 17.10.050(E) of the Rapid City Municipal Code;
2. An exception is hereby granted to allow a 16,462 square foot lot in lieu of the required minimum lot size requirement of 20,000 square feet for a lot with a private well as per

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- Chapter 17.10.050(F)b of the Rapid City Municipal Code;
3. Prior to submittal of a Final Planned Development Overlay, an Exception shall be obtained to allow more than 40 dwelling units with one point of access or a second point of access shall be provided in compliance with the Infrastructure Design Criteria Manual;
 4. Upon submittal of a Final Planned Development Overlay, that portion of the existing driveway serving as access to proposed Lot 1 of Lot A which is located on adjacent "Lot B" shall be secured within an easement or an alternate access shall be provided to Lot 1 of Lot A in compliance with the Infrastructure Design Criteria Manual;
 5. Upon submittal of a Final Planned Development Overlay, a revised site plan shall be submitted showing a minimum 12 foot wide all-weather surfaced driveway on proposed Lot 2 of Lot A;
 6. Upon to submittal of a Final Planned Development Overlay, an approved Fuel Mitigations Plan shall be submitted with the application. Prior to issuance of a building permit, the Fuel Mitigation Plan shall be approved and implemented. All applicable provisions of the adopted International Fire Code shall continually be met;
 7. Upon submittal of a Final Planned Development Overlay, a revised site plan shall be submitted showing that the proposed water reservoir is not located within any required setbacks or the applicant shall obtain an exception to reduce the setback requirements;
 8. Upon submittal of a Final Planned Development Overlay, a landscaping plan for the proposed utility lot shall be submitted for review and approval. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code, shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 9. Upon submittal of a Final Planned Development Overlay, a sign package shall be submitted for review and approval, if applicable;
 10. Upon submittal of a Final Planned Development Overlay, a revised site plan shall be submitted to show the location of the existing well serving proposed Lot 1 of Lot A. In addition, the well and service line, as applicable, shall be secured within an easement;
 11. Upon submittal of a Final Planned Development Overlay, a site plan shall be submitted identifying the drainage path for overflow from the proposed reservoir;
 12. Upon submittal of a Final Planned Development Overlay, a site plan shall be submitted identifying the location of the proposed light fixture on proposed Lot 2 of Lot A. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
 13. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 14. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
 15. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
 16. A minimum of two parking spaces shall be provided. In addition, one of the parking spaces shall be handicap "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met;
 17. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development Overlay or a subsequent Final Planned Development Overlay; and,

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18. The Initial Planned Development Overlay shall allow a water reservoir and an existing single family structure. Amendments shall be allowed in conformance with Chapter 17.50.070 of the Rapid City Municipal Code.

GENERAL COMMENTS:

The applicant has submitted an Initial Planned Development Overlay to construct a water reservoir for the purposes of improving the Chapel Lane Water Association's water system and to increase fire flows on the above legally described property. The applicant has stated that the new reservoir will be approximately 30 feet in diameter and 50 feet high. The applicant has also submitted a Preliminary Subdivision Plan to split the property into two lots to be known as Lot 1 of Lot A and Lot 2 of Lot A. An existing one story residential structure is currently located on proposed Lot 1 of Lot A. The water reservoir is proposed to be constructed on Lot 2 of Lot A.

On July 10, 2000, the City Council denied without prejudice a Conditional Use Permit (File #00UR002) to allow a water storage tower on the property. The City Council also denied without prejudice a Lot Split request (File #00PL002) to subdivide the property into two lots and a Variance to the Subdivision Regulations request (File #00SV004) to waive the requirement to provide pavement, curb, gutter and sidewalk along the access easement.

The applicant has also submitted a Preliminary Subdivision Plan (File #12PL033) to create two lots from the above legally described property. The northwest area is proposed to be a lot for the existing residential structure. The remainder of the property would be for the proposed water reservoir.

The property is located southwest of the terminus of Copper Hill Drive. Currently, a one story residential structure is located on proposed Lot 1 of Lot A.

STAFF REVIEW:

Staff has reviewed the proposed use with respect to Chapter 17.54.030(E) and has noted the following issues:

1. *The location, character and natural features of the property:*

The property is located southwest of the terminus of Copper Hill Drive. A one story residential structure is currently located on the property.

2. *The location, character and design of adjacent buildings:*

The properties to the west are zoned Flood Hazard District and Park Forest District. These properties are currently undeveloped. The properties to the north, south and east are zoned Park Forest District, Low Density Residential District and Low Density Residential District with a Planned Development. A mix of one and two story residential structures are located on these properties.

3. *Proposed fencing, screening and landscaping:*

The applicant is not proposing any fencing. The applicant has not submitted a

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landscaping plan with this application. Upon submittal of a Final Planned Development Overlay, a landscaping plan for the proposed utility lot must be submitted for review and approval. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code, must be continually met. All landscaping must be continually maintained in a live vegetative state and replaced as necessary.

4. *Proposed vegetation, topography and natural drainage:*

The site plan submitted with the application does not identify the flow path for potential overflow from the proposed water reservoir. Upon submittal of a Final Planned Development Overlay, a site plan must be submitted identifying the drainage path for overflow from the proposed reservoir.

5. *Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:*

The property is located at the terminus of Copper Hill Drive. An existing 40 foot wide access and utility easement extends west from Copper Hill Drive and serves as legal access to the property. A portion of the existing driveway appears to be located on the property to the north that is not in a dedicated easement. As such, upon submittal of a Final Planned Development Overlay, that portion of the existing driveway serving as access to proposed Lot 1 of Lot A which is located on adjacent "Lot B" must be secured within an easement or an alternate access must be provided to Lot 1 of Lot A in compliance with the Infrastructure Design Criteria Manual.

Chapter 2.6 of the Infrastructure Design Criteria Manual states that a street with a single access shall not be used by more than 40 dwelling units. Currently, one point of access exists to serve 524 dwelling units within the Chapel Valley area. No additional development will be allowed on any street currently exceeding 40 dwelling units, unless a second street access is provided or the Rapid City Council has approved an Exception. Prior to submittal of a Final Planned Development Overlay, an Exception must be obtained to allow more than 40 dwelling units with one point of access or a second point of access must be provided in compliance with the Infrastructure Design Criteria Manual.

The site plan submitted with this application identifies a driveway to the water reservoir on proposed Lot 2 of Lot A and indicates that the proposed driveway will be graveled and grass covered. Staff has reviewed the proposed driveway and concurred that an all-weather surface is adequate for access to the paved parking area. As such, upon submittal of a Final Planned Development Overlay, a revised site plan must be submitted showing a minimum 12 foot wide all-weather surfaced driveway on proposed Lot 2 of Lot A.

The applicant has submitted a parking plan showing two paved parking spaces. The proposed parking is in compliance with Chapter 17.50.270 of the Rapid City Municipal Code. A minimum of two parking spaces must be provided. In addition, one of the parking spaces must be handicap "van accessible." All provisions of the Off-Street Parking Ordinance must be continually met.

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6. *Existing traffic and traffic to be generated by the proposed use:*

It is not expected that the site will generate traffic other than regular maintenance.

7. *Proposed signs and lighting:*

The applicant has not submitted a sign package with this application. Upon submittal of a Final Planned Development Overlay, a sign package must be submitted for review and approval, as applicable. All signage must continually conform to Chapter 15.28 of the Rapid City Municipal Code. Lighting for the signs must be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

The applicant is proposing to have an outdoor light located adjacent to the proposed water reservoir. Upon submittal of a Final Planned Development Overlay, a site plan must be submitted identifying the location of the proposed light fixture on proposed Lot 2 of Lot A. All outdoor lighting must be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind.

8. *The availability of public utilities and services:*

The site plan submitted by the applicant does not identify the location of the existing well. Upon submittal of a Final Planned Development Overlay, a revised site plan must be submitted to show the location of the existing well serving proposed Lot 1 of Lot A. In addition, the well and service lines, as applicable, must be secured within an easement. The existing residence is served by a private well and served by Rapid Canyon Sanitary Sewer District.

9. *The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:*

The applicant has also submitted a Preliminary Subdivision Plan to split the existing property into two lots to be known as Lot 1 of Lot A and Lot 2 of Lot A. The proposed Lot 1 of Lot A is less than 20,000 square feet. Chapter 17.10.050(F)b of the Rapid City Municipal Code requires a minimum 20,000 square foot lot for properties not served by a sanitary sewer system. Staff has reviewed the proposed request and since the property is served by a community sanitary sewer system the proposed 16,462 square foot lot is adequate for an on-site well. An exception is hereby granted to allow a 16,462 square foot lot in lieu of the required minimum lot size requirement of 20,000 square feet for a lot with a private well as per Chapter 17.10.050(F)b of the Rapid City Municipal Code.

The applicant has requested an exception to Chapter 17.10.050(E) of the Rapid City Municipal Code to allow a lot that does not abut a public street for a distance of 25 feet. Proposed Lot 1 of Lot A does not abut public right-of-way. A 40 foot wide access and utility easement secures access to proposed Lot 1 of Lot A. Staff has reviewed the proposed exception and has concurred that since access to the Lot 1 of Lot A is secured

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in an easement staff can support the exception to allow a lot that does not abut a public street for a distance of 25 feet. As such, an exception is hereby granted to allow a lot that does not abut a public street for a minimum distance of 25 feet as per Chapter 17.10.050(E) of the Rapid City Municipal Code. In addition, prior to issuance of a building permit, the applicant must submit proof that the existing driveway providing access to the two proposed lots will be maintained.

The Zoning Ordinance is the tool that implements the Comprehensive Plan. The applicant is proposing to construct a 50 foot high water reservoir which is a Conditional Use in the Low Density Residential District. The applicant has indicated that the proposed water reservoir is required to ensure adequate fire flows and the existing water service.

All provisions of the Low Density Residential District must be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development Overlay or a subsequent Final Planned Development Overlay. The Initial Planned Development Overlay will allow a water reservoir and an existing single family structure. Any change in use that is a permitted use in the Low Density Residential District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Low Density Residential District shall require the review and approval of a Major Amendment to the Planned Development Overlay.

10. The overall density, yard, height and other requirements of the zone in which it is located:

The site plan submitted with the application shows the general location of the proposed water reservoir to be located on Lot 2 of Lot A. Upon submittal of a Final Planned Development Overlay, a revised site plan must be submitted showing that the proposed water reservoir is not located within any required setbacks or the applicant must obtain an exception to reduce the setback requirements.

11. The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:

The proposed water reservoir and existing residential structure do not appear to generate any additional noise, odor, smoke, dust, air or water pollution that would negatively impact the neighborhood.

12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:

The stipulations of approval will serve as the tool to ensure that the proposed development is in compliance with the Zoning Ordinance, building code and International Fire Code.

Building Permit: A building permit must be obtained prior to any construction and a Certificate of Occupancy must be obtained prior to occupancy. Upon submittal of a building permit, plans must be prepared and stamped by a licensed Architect or Professional

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Engineer as per SDCL 36-18A. Temporary or permanent site stabilization must be achieved prior to issuance of a Certificate of Occupancy.

Fire Department: The Rapid City Fire Department has indicated that the property is located within a high wild fire hazard area. As such, upon to submittal of a Final Planned Development Overlay, an approved Fuel Mitigations Plan must be submitted with the application. Prior to issuance of a building permit, the Fuel Mitigation Plan must be approved and implemented. All applicable provisions of the adopted International Fire Code must continually be met.

Notification: The white slips and green cards have not been returned. The required sign has not been posted on the property. As of this writing, staff is not aware if the sign has been posted. Staff will conduct a site visit before the July 26, 2012 Planning Commission meeting and will notify the Planning Commission at the meeting if this requirement has not been met.