

STAFF REPORT
July 26, 2012

No. 12PL033 - Preliminary Subdivision Plan

ITEM 13

GENERAL INFORMATION:

APPLICANT	Chapel Lane Water Company, Inc.
AGENT	Ron Davis - Davis Engineering, Inc.
PROPERTY OWNER	Chapel Lane Water Company, Inc.
REQUEST	No. 12PL033 - Preliminary Subdivision Plan
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
PROPOSED LEGAL DESCRIPTION	Lot 1 of Lot A and Lot 2 of Lot A of Copperhill Ridge Subdivision
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 Water and Rapid Canyon Sanitary Sewer District
DATE OF APPLICATION	June 29, 2012
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

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1. 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 Professional Engineer;
2. Upon submittal of a Development Engineering Plan application, construction plans the existing 40 foot wide access easement shall be submitted for review and approval showing the easement with a minimum width of 50 feet and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained prior to submittal of a Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, 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 access easement or the plat document shall be revised to provide an alternate access to proposed Lot 1 of Lot A. The access shall be secured within a minimum 50 foot wide easement and/or right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained prior to submittal of a Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway shall be submitted for review and approval showing the street located within a minimum 52 foot wide dedicated right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained prior to submittal of a Development Engineering Plan application;
5. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to provide non-access easements in compliance with the Infrastructure Development Criteria Manual or an Exception shall be obtained;
6. Prior to submittal of a Development Engineering Plan application, the applicant's site plan shall be revised to show the location of the existing well serving proposed Lot 1 of Lot A. In addition, the plat document shall be revised to secure the well and service lines, as applicable, within a utility easement;
7. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show Lot 1 of Lot A with a minimum lot size of 20,000 square feet or an Exception shall be obtained to reduce the minimum lot size from 20,000 square feet to 16,462 square feet for a lot with a private well;
8. Prior to submittal of a Development Engineering Plan application, 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;
9. Upon submittal of a Development Engineering Plan application, water plans prepared by a Registered Professional Engineer showing existing and/or proposed water mains and service lines shall be submitted for review and approval or an Exception shall be obtained. In addition, the water plan shall demonstrate that adequate water capacity exists to provide domestic and fire flows. The plat document shall also be revised to show utility easements as needed;
10. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer showing existing and/or proposed sanitary sewer

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- mains and service lines shall be submitted for review and approval or an Exception shall be obtained. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval. In addition, the applicant's site plan shall be revised to show the location of the existing and/or proposed on-site wastewater system(s);
11. 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. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
 12. Upon submittal of a Development Engineering Plan application, a Fuels Mitigation Plan shall be submitted for review and approval. In addition, prior to submittal of a Final Plat application, the Fuels Mitigation Plan shall be implemented;
 13. Upon submittal of a Development Engineering Plan application, a cost estimate shall be submitted for review and approval;
 14. Prior to submittal of a Final Plat application or prior to commencing construction, whichever occurs first, a Development Agreement shall be entered into with the City for all public improvements if applicable;
 15. 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,
 16. 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 Subdivision Plan to subdivide a 3.69 acre parcel creating two lots sized 0.38 acres and 3.317 acres, respectively. The lots will be known as Lot 1 of Lot A and Lot 2 of Lot A of Copperhill Ridge Subdivision. The applicant has also submitted an Initial Planned Development Overlay application to allow the construction of a 30 foot in diameter by 50 feet in height water reservoir on proposed 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 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.

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.

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STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Access and Utility Easement: An existing 40 foot wide access and utility easement extends west from Copper Hill Drive and serves as legal access to the property. The easement is classified as a lane place street requiring that it be located within a minimum easement width of 50 feet and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for the access and utility easement must be submitted as identified or an Exception must be obtained prior to submittal of a Development Engineering Plan application.

Driveway: The applicant's site plan identifies a portion of the driveway that serves as access to proposed Lot 1 of Lot A located on adjacent "Lot B", outside of the existing 40 foot wide access and utility easement. As such, upon submittal of a Development Engineering Plan application, this portion of the driveway must be secured within an access easement or the plat document must be revised to provide an alternate access to proposed Lot 1 of Lot A. The access must be secured within a minimum 50 foot wide easement and/or right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception must be obtained prior to submittal of a Development Engineering Plan application.

Section Line Highway: A section line highway is located along the east lot line of the property. The section line highway is classified as a local street requiring that it be located within a minimum 52 foot wide dedicated right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway must be submitted as identified or an Exception must be obtained prior to submittal of a Development Engineering Plan application.

Minimum Access: Currently, one point of access exists to serve 524 dwelling units within the Chapel Valley area. Section 2.6 of the Infrastructure Design Criteria Manual states that "a street with a single access shall not be used for more than forty (40) dwelling units. A second access shall be provided when more than forty (40) dwelling units are accessed from a street. No additional development shall be allowed on any street currently exceeding forty (40) dwelling units, unless a second street access is provided or the Rapid City Council has approved an Exception".

Platting the property as proposed will create one additional lot. The applicant has indicated that the additional lot will be used as a reservoir lot. However, the Infrastructure Design Criteria Manual states that "no additional development" shall be allowed unless a second street access is provided or the Council approves an Exception. As such, prior to submittal of a Development Engineering Plan application, 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.

Fuels Mitigation Plan: The Rapid City Fire Department has indicated that the property is located

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within a high wild fire hazard area. As such, upon submittal of a Development Engineering Plan application, a Fuels Mitigation Plan must be submitted for review and approval. In addition, prior to submittal of a Final Plat application, the Fuels Mitigation Plan must be implemented.

Water: The applicant has indicated that the property is located within the Chapel Lane Water Company service area and that a private well is currently located on proposed Lot 1 of Lot A to serve the existing residence located on the property. Upon submittal of a Development Engineering Plan application, water plans prepared by a Registered Professional Engineer showing existing and/or proposed water mains and service lines must be submitted for review and approval or an Exception must be obtained. In addition, the water plan must demonstrate that adequate water capacity exists to provide domestic and fire flows. The plat document must also be revised to show utility easements as needed.

The applicant has not identified the location of the well located on proposed Lot 1 of Lot A. As such, prior to submittal of a Development Engineering Plan application, the applicant's site plan must be revised to show the location of the existing well. In addition, the plat document must be revised to secure the well and service lines, as applicable, within a utility easement.

Proposed Lot 1 of Lot A is a 16,462 square foot lot. A minimum 20,000 square foot lot is required in order to support an on-site well. As such, prior to submittal of a Development Engineering Plan application, the plat document must be revised to show Lot 1 of Lot A with a minimum lot size of 20,000 square feet or an Exception must be obtained to reduce the minimum lot size from 20,000 square feet to 16,462 square feet for a lot with a private well.

Sanitary Sewer: The property is located within the Rapid Canyon Sanitary Sewer District service area. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer showing existing and/or proposed sanitary sewer mains and service lines must be submitted for review and approval or an Exception must be obtained. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval. In addition, the applicant's site plan shall be revised to show the location of the existing and/or proposed on-site wastewater system(s).

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

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public improvements. Staff recommends that prior to submittal of a Final Plat application or prior to commencing construction, whichever occurs first, 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