

STAFF REPORT

April 26, 2001

No. 01PL007 - Preliminary and Final Plat

ITEM 35

GENERAL INFORMATION:

PETITIONER	Fisk Engineering for John Skulborstad and Peter Torino
REQUEST	No. 01PL007 - Preliminary and Final Plat
LEGAL DESCRIPTION	Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1 Acre
LOCATION	North of the Cleghorn Fish Hatchery on U.S. Highway 44 West
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Limited Agriculture District (County) / Medium Density Residential District
South:	Flood Hazard District
East:	Flood Hazard District / Medium Density Residential District
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Preliminary and Final Plat be **denied without prejudice.**

GENERAL COMMENTS: **This item has been continued several times since the February 22, 2001 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of 4/16/01. All revised or added text is shown in bold print.** The applicant has submitted a Preliminary and Final Plat proposing to create a one acre lot leaving a 25.2 acre non-transferable balance. Currently, an unoccupied building is located on the property. At one time the building was the site of the Johnson Siding Volunteer Fire Department.

The applicant has also submitted a Subdivision Regulations Variance request to waive the requirement for sewer, water, sidewalk and street light conduit. (See companion item #01SV005). In addition, the applicant has submitted a rezoning request to change the zoning on the subject property from Park Forest to Office Commercial in order to locate a photography studio on the property. (See companion item #01RZ001.) The Office Commercial District allows a photography studio as a Use on Review. As such, the applicant has submitted a Planned Development Designation in conjunction with the

STAFF REPORT

April 26, 2001

No. 01PL007 - Preliminary and Final Plat

ITEM 35

rezoning request. (The Zoning Ordinance identifies that a Planned Commercial Development is allowed as a Use on Review in the Office Commercial District. See companion item # 01PD003.)

On November 16, 1998, a Layout Plat was approved to create a slightly larger lot than identified through this review. In addition, a Master Plan was submitted identifying that the remaining balance would eventually be subdivided into seven (7) lots ranging in size from .5 acres to 11.8 acres. In addition, one approach located along Jackson Boulevard would be extended to form an approximate 500 foot long cul-de-sac to serve all but a 3.7 acre lot located in the southwest corner of the property. It was identified that the 3.7 acre lot would be incorporated into an adjacent property legally described as Lot 13, Block 2 of Cleghorn Canyon #2 Subdivision.

In conjunction with the proposed Preliminary and Final Plat currently being reviewed, the applicant has submitted a revised Master Plan. The revised Master Plan identifies that the remaining balance will be subdivided into nine lots ranging in size from 1.51 acres to 5.03 acres. In addition, a second approach is being proposed to serve eight of the nine lots. The Master Plan also identifies that an approximate 1,050 foot long cul-de-sac with an intermediate turnaround will be constructed to serve the eight lots. The Master Plan identifies that Cleghorn Canyon Road will serve as access to the ninth lot located in the southwest corner of the property. The applicant has indicated that the Master Plan will be completed in three phases.

Staff Review: During the review of the Preliminary and Final Plat request, staff identified a number of concerns that must be addressed in order for the project to go forward.

Layout Plat: The Layout Plat was approved contingent upon topographic information, a detailed grading plan and a detailed drainage plan being submitted for review and approval upon Preliminary Plat submittal. In addition, major drainage easement(s) must be shown on the plat as required by the Engineering Division. To date, this information has not been submitted. **On April 2, 2001, topographic information for proposed Lot 1 and for a portion of the balance of the property was submitted for review and approval. The applicant has indicated that the existing building located on Lot 1 will be used for the proposed photography studio. The applicant has indicated that since no new construction is being proposed, a grading permit for Lot 1 is not necessary. The Engineering Division has indicated that since the existing parking lot to be used for the proposed photography studio is not currently paved, a grading permit identifying the proposed construction work to improve the parking lot must be submitted for review and approval. The Engineering Division is also requesting that a geotechnical site evaluation including an evaluation of the geological stability of the site be submitted for review and approval. The applicant has indicated that the geotechnical information will be submitted as requested. The geotechnical site evaluation is necessary in order to determine slope stability issues relative to the proposed interior road locations.**

Master Plan: As previously indicated, the applicant has submitted a revised Master Plan. Staff has identified several concerns and/or issues relative to the proposed revisions. The revised Master Plan increases the proposed density from eight lots to ten lots. The lots

STAFF REPORT

April 26, 2001

No. 01PL007 - Preliminary and Final Plat

ITEM 35

range in size from 1.51 acres to 5.03 acres. The property is currently zoned Park Forest District requiring a minimum three acre lot size. Any proposed development should not increase the overall density as allowed within the Park Forest District. This would allow a maximum of nine lots to be platted. **On April 2, 2001, the applicant submitted a revised Master Plan proposing to subdivide the property into nine lots. The revised Master Plan will not create a density larger than that allowed within the Park Forest District. However, access to the nine lots continues to be a major concern.**

In addition, a second approach is being proposed to serve eight of the ten lots. Staff is concerned with the location of the second approach relative to the curvature of Jackson Boulevard. To date, an approach permit from the South Dakota Department of Transportation has not been obtained. (During the review of the original Master Plan and the accompanying Layout Plat, staff identified that one approach should serve the entire property.) Staff is recommending that a sight distance evaluation be provided to evaluate the sight distance at the proposed approach(s) to the property. **The revised Master Plan submitted on April 2, 2001, shows the second approach shifted approximately 130 feet to the west. A site distance profile was submitted for the original location and the revised location of the second approach. As previously noted, the curvature of Jackson Boulevard and the terrain on the subject property create site distance hazards. The applicant has indicated that in order to maintain the minimum site distance a portion of the hillside located on the subject property will be removed. As such, the applicant is proposing to shift the approach to the west as identified in order to minimize the amount of hillside to be removed. As previously indicated, the Layout Plat approved in 1998 identified one approach located on Lot 1 to serve the entire development. In order to minimize traffic concerns along Jackson Boulevard, staff is recommending that the Master Plan be revised to show the one approach located on Lot 1 as previously approved. In addition, the approach should align as closely as possible to Chapel Lane located on the south side of Jackson Boulevard. Extending an interior roadway across Lot 1 may require that the existing building be removed in part or in whole and/or that an easement or right-of-way be obtained from the adjacent property owner. Staff is recommending that the Preliminary and Final Plat be denied without prejudice to allow the applicant to submit a revised Preliminary and Final Plat to address the access issue.**

The revised Master Plan also identifies that Cleghorn Canyon Road will serve as access to Lot 10 located in the southwest corner of the property. It appears that there is not sufficient separation distance between the intersection of Cleghorn Canyon Road/Jackson Boulevard and any possible approach along Cleghorn Canyon Road to the proposed lot. The applicant has indicated that the proposed lot will eventually be sold to an adjacent land owner. As such, staff is recommending that the Master Plan be revised to incorporate Lot 10 into the adjacent property. **A note on the revised Master Plan indicates that as a part of Phase III, the lot will be incorporated into the adjacent property.**

The Fire Department has indicated that the property is located in a moderate to high fire hazard area. As such, a cul-de-sac in excess of 500 feet can not be supported. The revised Master Plan identifies an approximate 1,050 foot long cul-de-sac with an intermediate turnaround. The Master Plan must be revised to address this concern. In

STAFF REPORT

April 26, 2001

No. 01PL007 - Preliminary and Final Plat

ITEM 35

particular, the length of the cul-de-sac must be reduced as identified. **The revised Master Plan submitted on April 2, 2001 identifies an 875 foot long cul-de-sac with an intermediate turnaround located approximately 600 feet from the approach. The Fire Department has indicated that since the property is located within a moderate to high fire hazard area, the cul-de-sac should not exceed the maximum allowable length of 500 feet. In addition, the design of the proposed cul-de-sac has been revised to include a sharp "U" shaped curve at the property's entrance. The Fire Department has indicated that the revised road design will make it very difficult to safely maneuver fire trucks along this section of the road. The revised Master Plan indicates that the finished road grade on the proposed cul-de-sac will exceed 10 percent. Staff is recommending that the maximum road grade be identified. The Street Design Criteria Manual states that the maximum grade on a residential street shall not exceed 12 percent, although a gradient of less than 8 percent is preferable. In addition, in areas with severe icing conditions, maximum grades of 8 percent should be considered. The revised Master Plan submitted April 2, 2001 indicates that the finished grade on the first 600 feet of the proposed cul-de-sac will be approximately 12%. The finished grade on the last 275 feet will be approximately 15%. The terrain within the area lends itself to potentially severe icing conditions. As such, staff can not support road gradients in excess of 8% to 12%. The Fire Department has also indicated that in addition to the "U" shaped curve, the severe grade of the cul-de-sac creates serious driving hazards for emergency vehicles. Staff is recommending that the Preliminary and Final Plat be denied without prejudice to allow the applicant to submit a revised Preliminary and Final Plat addressing the road grade issue. The applicant has the option of seeking a Special Exception to the Street Design Criteria Manual.**

The revised Master Plan also identifies that the property will be developed in three phases. Phase One will include platting the subject property to create a one acre lot for commercial purposes. The applicant is proposing to utilize an existing on-site wastewater system and well to serve the one acre lot. Phase Two proposes to plat a three acre lot directly west of the subject property and to extend City sewer and water to the property. Phase Three includes platting the remaining eight lots and constructing the proposed cul-de-sac. The Engineering Division has indicated that City sewer and water is located south of the subject property at the Chapel Lane/Jackson Boulevard intersection. As such, City sewer and water must be extended to the subject property including the initial phase.

Update: The applicant has indicated that he is currently discussing the construction of a shared approach along the north lot line of the subject property with the Blessed Sacrament Catholic Church. **The applicant has submitted a letter from the Blessed Sacrament Catholic Church indicating that the Parish Council is opposed to the proposed rezoning request to rezone Lot 1 from Park Forest District to Office Commercial District. (See companion item 01RZ001.) The letter also indicated that the Parish Council is not willing to grant a common or shared access easement if the property is rezoned. A member of the Parish Council has indicated that the applicant has been invited on four occasions to visit with the Council regarding the proposed Rezoning Request and the shared access issue. The Parish Council member indicated that the applicant failed to appear at any of the Parish Council meetings as invited. As such, the Parish Council has indicated that they are opposed to the Rezoning Request and,**

STAFF REPORT

April 26, 2001

No. 01PL007 - Preliminary and Final Plat

ITEM 35

subsequently, granting a shared access easement.

Summary: Staff is recommending that the proposed Preliminary and Final Plat be denied without prejudice to allow the applicant to submit a revised plat that addresses road alignment, length and grade issues.