

STAFF REPORT

December 6, 2001

No. 01PL114 - Preliminary and Final Plat

ITEM 25

GENERAL INFORMATION:

PETITIONER	Alvin Aisenbrey
REQUEST	No. 01PL114 - Preliminary and Final Plat
LEGAL DESCRIPTION	Lot 13 Revised of Block 2 of Cleghorn Canyon Subdivision No. 2, located in Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.8 acres
LOCATION	5100 Cleghorn Canyon Road
EXISTING ZONING	No Use District (City)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Flood Hazard District
East:	Park Forest District/Flood Hazard District (City)
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	City water and Community sewer
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement along Cleghorn Canyon Road except for the approved approach location;
2. Prior to Final Plat approval by the City Council, a note shall be placed on the plat stating that an eight foot wide utility and minor drainage easement is located on the interior side of all lot lines **with the exception of the southern 272.09 feet of the west lot line and the south lot line;**
3. **A Special Exception to the Street Design Criteria Manual is hereby granted to reduce the right-of-way width from 47 feet to 40 feet and to waive the requirement to provide an eight foot utility and drainage easement along the north side of Cleghorn Canyon Road with the stipulation that prior to City Council approval of the Final Plat, a miscellaneous document be filed at the Register of Deed's Office granting an eight foot wide utility and pedestrian access easement along the south side of Cleghorn Canyon Road;**

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4. Prior to Preliminary Plat approval by the City Council, topographic information shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Preliminary Plat approval by the City Council, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval or a Variance to the Subdivision Regulations waiving the required improvements shall be obtained;

Fire Department Recommendations:

6. Prior to Final Plat approval by the City Council, a fire mitigation plan shall be submitted for review and approval;

Urban Planning Division Recommendations:

7. Prior to Final Plat approval by the City Council, that portion of the property currently zoned No Use District shall be rezoned to Park Forest District;
8. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
9. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

GENERAL COMMENTS:

This item was continued at the November 21, 2001 Planning Commission meeting at the applicant's request. This Staff Report has been revised as of November 28, 2001. All revised or added text is shown in bold text. The applicant has submitted a Preliminary and Final Plat to incorporate an additional 3.46 acres into an existing .34 acre lot located in the Cleghorn Canyon Subdivision #2. Currently, a single family residence is located on the existing lot.

The City is currently reviewing Preliminary and Final Plat #01PL110 to create a seven lot residential development to be known as Vista Lake Subdivision located directly east of the subject property. The 3.46 acres identified on this plat, is an unplatted balance created by Preliminary and Final Plat #01PL110. The applicant has indicated that incorporating the 3.46 acres into the existing lot will create a buffer between the subject property and any future residential development to be located in the proposed Vista Lake Subdivision.

The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to provide topographic information and to install sidewalks, curb and gutter and street light conduit. (See companion item #01SV033.)

STAFF REVIEW:

During the review of the Preliminary and Final Plat request, staff identified a number of considerations:

Zoning: The existing .34 acre lot has recently been annexed into the City. The City is currently reviewing a rezoning request to change the zoning of the .34 acre lot from No Use District to Park Forest District. (See associated item #01RZ063.) The 3.46 acres to be incorporated

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into the existing lot is currently zoned Park Forest District. The proposed plat will create a 3.8 acre lot meeting the minimum three acre lot size of the Park Forest District. Staff is recommending that the property be rezoned as identified prior to Final Plat approval.

Non-access easement: Jackson Boulevard is located along the east lot line and Cleghorn Canyon Road is located along the south lot line. In addition, Cleghorn Canyon Lane is located along a portion of the west lot line. The plat currently shows a non-access easement along Jackson Boulevard. The Engineering Division has indicated that a non-access easement must also be shown along Cleghorn Canyon Road with the exception of the location of the existing approach that currently aligns with the carport. Staff is recommending that the plat be revised as identified prior to Final Plat approval.

Plat labeling: The Engineering Division has indicated that a note must be placed on the plat stating that an eight foot wide utility and minor drainage easement is located on the interior side of all lot lines. Staff is recommending that the plat be revised accordingly prior to Final Plat approval. **Due to the location of existing landscaping and a retaining wall along the front of the property, the applicant has requested a Special Exception to the Street Design Criteria Manual to waive the requirement to provide an eight foot wide utility and minor drainage easement along the front lot line. In addition, the applicant has requested a Special Exception to reduce the required right-of-way width for Cleghorn Canyon Road from 47 feet to 40 feet. The applicant owns the property located directly south of Cleghorn Canyon Road, directly across from the subject property, and has indicated that an eight foot wide utility and pedestrian access easement can be provided along the front lot line of the parcel on the south side of the road. The Engineering Division has indicated that utilities currently exist within the Cleghorn Canyon Road right-of-way. In addition, a pedestrian access easement along the south side of Cleghorn Canyon Road allows for the future construction of a bike path. As such, the Engineering Division is recommending that a Special Exception be granted to reduce the right-of-way width as identified and to waive the requirement to provide an eight foot wide utility and minor drainage easement along the front lot line with the stipulation that prior to Final Plat approval, a miscellaneous document be filed at the Register of Deed's Office granting an eight foot wide utility and pedestrian access easement along the south side of Cleghorn Canyon Road.**

Subdivision Improvements: As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sidewalks, curb and gutter and street light conduit and to provide topographic information. The Subdivision Regulations requires that the referenced subdivision improvements and/or information be submitted upon Preliminary Plat submittal. The Engineering Division has indicated that road construction plans for the sidewalks, curb and gutter and street light conduit as well as the topographic information must be submitted for review and approval or a Variance to the Subdivision Regulations to waive the requirement(s) must be obtained prior to Preliminary Plat approval.

Fire Department: The Fire Department has indicated that the property is located within a moderate to high fire hazard area. The Fire Department has recommended that a fire mitigation plan with a specified implementation date be submitted for review and approval.

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The Fire Department has also indicated that any future redevelopment of the subject property resulting in a residence being located more than 150 feet from the roadway(s) will require that an emergency turnaround be provided on the property.

Staff believes that the proposed plat generally complies with all applicable zoning and subdivision regulations based upon compliance with the stated stipulations.