

STAFF REPORT  
May 5, 2005

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**No. 05PL054 - Layout Plat**

**ITEM 15**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Russell and Dalaina Salamun
REQUEST	<b>No. 05PL054 - Layout Plat</b>
EXISTING LEGAL DESCRIPTION	The north 68.5 feet of Lot H, less the East 33 feet, Block 1 of Lot 3, Schamber Subdivision, NE1/4 NW1/4 Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 and Lot 2 of Salamun Subdivision, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .56 Acres
LOCATION	2016 Elmhurst Drive
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/23/2005
REVIEWED BY	Renee Catron-Blair / David L. Johnson

RECOMMENDATION:

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

1. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for 38<sup>th</sup> Street. In particular, the road construction plans from Cottonwood Street to the north property line shall show the street constructed with a minimum 47 foot right-of-way and a 22 foot paved surface with curb, gutter, sidewalk, street light conduit and sewer or a Variance to the Subdivision Regulations shall be obtained;
2. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for Elmhurst Drive. In particular, the road construction plans shall show the street constructed with a minimum 47 foot right-of-way and a 22 foot paved surface and sidewalk or a Variance to the Subdivision Regulations shall be obtained;

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3. Upon submittal of the Preliminary Plat application, a drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;
4. Upon submittal of the Preliminary Plat application, a cost estimate for the subdivision improvements shall be submitted for review and approval;
5. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of 14.5 additional feet of right-of-way along Elmhurst Drive and seven additional feet of right-of-way along 38<sup>th</sup> Street;
6. Prior to submittal of the Final Plat application, a Subdivision Variance shall be obtained to allow lots twice as wide as they are long;
7. Prior to submittal of the Final Plat, the applicant shall obtain a Variance to reduce the front yard setback on Elmhurst Drive from 26 feet to 11.5 feet;
8. Prior to submittal of the Final Plat, the applicant shall obtain a Variance to reduce the side yard setback on the intermediate property line to allow the existing garage to be to 0.5 feet in lieu of eight feet;
9. Prior to submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
10. Prior to submittal of a Final Plat application, the plat document shall be revised to include the required Final Plat certificates.

GENERAL COMMENTS:

**(Update April 22, 2005. All revised and/or added text is shown in bold print.) This item was continued at the April 21, 2005 Planning Commission meeting at the applicant's request to allow the Subdivision Variance to be considered in conjunction with this Layout Plat.**

The applicant has submitted a Layout Plat to subdivide .56 acres into two lots: Lot 1 and Lot 2 of Salamun Subdivision, .32 and .24 acres respectively.

The subject property is located between 38<sup>th</sup> Street and Elmhurst Drive in the Canyon Lake Area. Currently, there is a single family residence on the property. The residential structure was constructed in 1934. The structure will be located on proposed Lot 1. A separate garage is also located on that lot and was constructed in 1950. The proposed second lot is void of any structures currently. The area was annexed into the City of Rapid City on October 7, 1947. The applicant previously submitted a Layout Plat and Variance to the Subdivision Regulations request in 2004 with a different lot configuration than the current request. The Planning Commission approved the previous request with stipulations on November 4, 2004 and City Council approved with stipulations on December 6, 2004. The applicant has submitted a Variance to the Subdivision Regulations request in conjunction with the Layout Plat application. (See companion item #045V024)

The Layout Plat is an informal preliminary review of a proposed subdivision to identify all major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with the City of Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval but the major concerns and issues are

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identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or a special exception, whichever is applicable.

STAFF REVIEW:

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

Elmhurst Drive: Elmhurst Drive is considered a Subcollector Street classification which requires a minimum 47 foot wide right-of-way and 22 foot pavement width. Road construction plans must be submitted showing the street constructed with a minimum 22 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained. Currently, Elmhurst Drive right-of-way width is constructed with 18 feet of pavement, not meeting the minimum requirement. Elmhurst Drive is constructed with curb, gutter, street light conduit, water and sewer. An additional 14.5 feet of right-of way must be dedicated as it abuts this street. In dedicating additional right-of-way, a Variance to reduce the front yard setback from 26 feet to 11.5 feet is required since this will create a setback violation. In addition, a Subdivision Variance to allow lots twice as wide as they are long shall be obtained. Currently, the existing garage located on the property is non-conforming. Any changes or development of the property will require a Variance through the Zoning Board of Adjustment prior to a Final Plat application to the side yard setback to allow a 0.5 foot setback instead of the required eight feet. In 1950 when the garage was constructed, the City's Ordinance side yard requirement was five feet. This garage was constructed in violation of the setbacks in place at the time it was constructed.

38<sup>th</sup> Street: 38<sup>th</sup> Street is considered at Subcollector Street classification which requires a minimum 47 foot wide right-of-way and 22 foot pavement width. Road construction plans must be submitted showing the street constructed with a minimum 22 foot paved surface with curb, gutter, sidewalk, street light conduit and sewer or a Variance to the Subdivision Regulations must be obtained. Currently, 38<sup>th</sup> Street right-of-way width is 33 feet and is not constructed. An additional seven feet of right-of-way must be dedicated as it abuts this street.

Drainage: A drainage channel is located along the north property line. Staff is recommending that a drainage channel be constructed or surety posted for the improvements and a drainage easement be provided for on the plat document prior to Final Plat application. In particular, the Red Dale Drainage Basin Element 260 requires the reconstruction of the existing channel to be two foot deep with a four foot bottom. As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval.

Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.