

STAFF REPORT
November 23, 2005

No. 05PL204 - Preliminary Plat

ITEM 16

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying for Russell and Dalaina Salamun
REQUEST	No. 05PL204 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	The north 68.5 feet, Lot H, less the East 33 feet, Block 1, Lot 3, Schamber Subdivision, NE1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2, Salamun Subdivision, and dedicated Right-of-Way, formerly located in the north 68.5 feet, Lot H, less the East 33 feet, Block 1, Lot 3, Schamber Subdivision, NE1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .56 acres
LOCATION	North of Garvin Court and between Elmhurst Drive and 38th Street
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, sewer
DATE OF APPLICATION	10/28/2005
REVIEWED BY	Mike Maxwell / Emily Fisher

RECOMMENDATION:

Staff recommends that the Preliminary Plat be approved with the following stipulations.

1. 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 38th Street;
2. Prior to submittal of the Final Plat, the applicant shall obtain a Zoning Variance to reduce the front yard setback on Elmhurst Drive from 26 feet to 11.5 feet.
3. Prior to submittal of the Final Plat, the applicant shall obtain a Zoning Variance to reduce the side yard setback on the intermediate property line to allow the existing garage to be

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- 0.5 feet in lieu of eight feet.
4. Prior to submittal of the Final Plat application, a Subdivision Variance shall be obtained to allow lots twice as wide as they are long.
 5. Prior to 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,
 6. Prior to submittal of a Final Plat application, the plat document shall be revised to include the required Final Plat certificate.

GENERAL COMMENTS: The applicant has submitted a Preliminary Plat to subdivide a single lot into two residential lots. Lot 1 will be .29 acres and Lot 2 will be .23 acres. The proposed property is located north of Garvin Court between Elmhurst Drive and 38th Street. The property is currently zoned medium density residential.

A Layout Plat (05PL054) was approved by City Council on May 16, 2005, with stipulations:

1. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for 38th 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, streetlight 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 plan 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
3. Upon submittal of the Preliminary Plat application, a drainage plan shall be submitted and for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;

STAFF REVIEW: Staff has reviewed the Preliminary Plat and has noted the following considerations:

Subdivision Improvements: The requirement to install curb, gutter, sidewalks, street light conduit, water and pavement along 38th Street and to install sidewalk and additional pavement width along Elmhurst Drive as they abut the property has been met. The applicant has signed a Waiver of Rights to Protest to install curb, gutter, sidewalks, street light conduit, water and pavement along 38th Street and to install sidewalk and additional pavement width along Elmhurst Drive as they abut the property as approved in the Subdivision Variance 05SV024.

Drainage Plan: The requirement for a drainage plan has been met. The applicant submitted a drainage plan for the subject property. The plan was reviewed and approved by staff.

Setbacks: The applicant has requested a zoning variance to reduce the setbacks from 26 feet to 11.3 feet to the front of the dwelling and existing garage and to reduce the side setback on the garage to one foot from the existing property line as required by the Planning

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Commission in the Layout Plat approval on May 16, 2005. The zoning variance request has been submitted for review by the Zoning Board of Appeals.

Right-of-Way; The requirement to dedicate 14.5 additional feet of right-of-way along Elmhurst Drive and seven additional feet of right-of-way along 38th Street has been met. The applicant has dedicated the additional right-of-way on the Preliminary Plat.

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