

## STAFF REPORT

April 10, 2003

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### **No. 03PD011 - Major Amendment to a Planned Residential Development to reduce the front yard setbacks on 18 lots** **ITEM 25**

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#### GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 03PD011 - Major Amendment to a Planned Residential Development to reduce the front yard setbacks on 18 lots</b>
EXISTING LEGAL DESCRIPTION	SE1/4 SE1/4 Section 13, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40.25 Acres
LOCATION	Northwest of the intersection of Country Road and Nike Road
EXISTING ZONING	Low Density Residential District w/Planned Residential Devleopment
SURROUNDING ZONING	
North:	County General Agriculture District
South:	Medium Density Residential District/County General Commercial Zoning District
East:	County General Agriculture Disctrict
West:	Low Density Residential District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	03/13/2003
REPORT BY	Jeff Marino

#### RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development to reduce the front yard setbacks on 18 lots be approved with the following stipulations:

#### Transportation Planning Division Recommendations:

1. The applicant shall verify that pedestrian access via sidewalks remains open at all times by ensuring that the offstreet parking on the lot remains out of the right of way and off the sidewalk;

#### Urban Planning Division Recommendations:

2. Any reduction in setbacks shall be granted for only Lots 18-24 of Block 4, Lots 5-10 of Block 8, and Lots 18-22 of Block 8;

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3. The maximum amount the front yard setbacks can be reduced on the proposed lots shall be 15 feet for the main dwelling unit and 18 feet between the garage door and any front property line;
4. All other provisions of the Low Density Residential Zoning Ordinance including side yard and rear yard setbacks shall be met at all times, or a major amendment to the Planned Residential Development shall be obtained; and,
5. All stipulations of the original Planned Residential Development to Northbrook Village approved by City Council on December 17, 2001 shall be met at all times.

**GENERAL COMMENTS:** The applicant is requesting a reduction in the front yard setbacks for 18 lots in Northbrook Village Subdivision. The proposed development is located in a Low Density Residential Zoning District. The minimum required front yard setback in the Low Density Residential Zoning District is 25 feet. The applicant is requesting a reduction in the front yard setback from 25 feet to 15 feet for the dwelling units and 25 feet to 18 feet for the garages.

The property is located directly to the east of the Mallridge Subdivision at the northwest quadrant of the intersection of Country Road and Nike Road. There are a total of 106 lots in the Planned Residential Development which was approved by City Council on December 17, 2001. The Planned Residential Development was approved with 12 stipulations. These stipulations include:

1. All stipulation of Preliminary Plat 01PL076 shall be met;
2. Prior to issuance of a building permit or on-site construction using combustible material(s), an approved water supply shall be provided and all fire hydrants shall be installed;
3. All driveways shall not exceed a 12% grade. Prior to issuance of a building permit, a site plan shall be provided identifying the location and grade of the driveway;
4. All driveways shall meet the minimum standards of the Street Design Criteria Manual unless otherwise authorized;
5. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;
6. Prior to City Council approval of the Final Development Plan, a landscaping plan shall be submitted for review and approval. In particular, a landscaping buffer including berms, shrubs and trees shall be provided along the north side of Country Road and a landscape plan for the sanitary lift station;
7. All provisions of the Low Density Residential Zoning District shall be met unless otherwise authorized;
8. Any use listed in Section 17.10.030 shall require a Major Amendment to the Planned Residential Development;
9. A minimum of two off-street parking spaces shall be provided for each residence;
10. Prior to Planning Commission approval of the Final Development Plan, a sign and lighting package shall be submitted for review and approval. The sign package shall include the location, height and size, and setback dimensions of any and all proposed signs to be located within the development other than regulatory signs. The lighting

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package shall include the location, height and size, and setback dimensions of any and all proposed lights to be located within the development other than mandatory street lights unless the proposed street lights do not meet the standard specifications of the City of Rapid City;

11. Tract A, Block 2 shall be allowed as a utility lot for the sanitary sewer lift station; and,
12. Outlot A, Block 6; Outlot B, Block 4; and Outlot C, Block 2 shall be designated as drainage lots.

**STAFF REVIEW:** The submitted site plan shows significant topographic constraints at the proposed locations of the reduced setbacks. The applicant has indicated that the setbacks would allow development to occur on the site. The site plan shows close to 18 percent grades at the proposed locations for the reduced front yard setbacks.

The 18 foot setback in front of the garages will still allow the owners to park their cars in front of the garages without encroaching into the right-of-way. This scenario allows the development to meet the off street parking requirements of two spaces.

In the past the Planning Commission has supported similar requests in Red Rocks Estates Subdivision, Stoney Creek Subdivision, and Auburn Hills Subdivision, to name a few. This request to allow a 15 foot setback to the residence and an 18 foot setback for garages has been supported, if a minimum 25 foot rear yard setback is maintained.

Staff has reviewed this request with respect to the provisions of the City of Rapid City Municipal Code and Staff believes that the granting of the Major Amendment to a Planned Residential Development would be consistent with the purposes and intent of the Zoning Ordinance.

As of this writing, the receipts from the certified mailing have not been returned; however, the Planned Residential Development sign has been posted on the property. Staff will notify the Planning Commission at the April 10, 2003 Planning Commission meeting if the notification requirements have not been met. Staff has not received any calls or written letters concerning the proposed Major Amendment Planned Residential Development.