

STAFF REPORT
September 23, 2004

No. 04PD049 - Major Amendment to a Planned Residential Development **ITEM 15**

GENERAL INFORMATION:

PETITIONER	Dakota Sunrooms for Craig Shaefer
REQUEST	No. 04PD049 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lot 9, Block 2, Terracita Highlights Subdivision, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .24 acres
LOCATION	3912 City View Drive
EXISTING ZONING	Low Density Residential District (PRD)
SURROUNDING ZONING	
North:	Low Density Residential District (PRD)
South:	Low Density Residential District (PRD)
East:	Low Density Residential District (PRD)
West:	Low Density Residential District (PRD)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/27/2004
REVIEWED BY	Todd Tucker / Curt Huus

RECOMMENDATION: Staff recommends that the Major Amendment to a Planned Residential Development be approved with the following stipulations:

1. Prior to any construction of the sunroom addition, a Building Permit shall be obtained, and a Certificate of Occupancy shall be obtained prior to occupancy of the addition;
2. Prior to issuance of a Building Permit, drawings showing the extents of the fill, in relation to the drainage easement and property lines must be submitted for review and approval;
3. Prior to issuance of a Building Permit, the applicant must provide documentation from the affected property owners indicating that the "as constructed" fill meets their approval;
4. Prior to issuance of a Building Permit, a restoration plan for the unvegetated slopes, including seeding, fertilizer, mulch, and silt fence as required must be submitted for review and approval;
5. An additional Major Amendment to the Planned Residential Development shall be obtained prior to any further encroachment into the required setbacks; and,
6. All applicable stipulations from the previously approved Planned Residential Development shall be continually met.

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GENERAL COMMENTS: The subject property is located on the north side of City View Drive, southeast of the intersection of City View Drive and Alta Vista Drive. There is an existing single family residence located on the subject property. The subject property is part of the Terracita Highlights Planned Residential Development that was approved in 1985 with 12 stipulations. The stipulations of approval were as follows:

1. That the PRD shall consist of no more than 193 dwelling units and shall be of the following types and numbers:
 - a. multi-family units – 136;
 - b. townhouses – 26;
 - c. detached single family – 20;
 - d. large lot detached single family – 11;
2. That all plans submitted and approved shall become part of the PRD Use on Review Permit;
3. That the following information shall be required at the time of platting:
 - a. Geotechnical studies to determine the suitability of proposed building sites particularly for the proposed multi-family structures and those single-family units located west of the Texas Street cul-de-sac; and,
 - b. Specific studies relative to the appropriateness of septic tanks and drainfields for the 11 large lot single-family dwelling units;
4. That all Fire Department requirements regarding emergency vehicle access be met;
5. That all zoning ordinance setback requirements be met;
6. That if the PRD is to be platted in phases, the City may require additional information regarding grading plans, utility and street plans for areas located beyond the proposed platting area;
7. That proposed streets be constructed to the standards indicated on the PRD site plan including the construction of curb and gutter and sidewalk on one side of City View Drive;
8. That the existing access easement leading to Highway 16 from City View Drive be platted as public right-of-way prior to issuance of a Building Permit within the Southtown Heights PRD;
9. That a landscape buffer area be installed between the easternmost multi-family structure and adjacent low density residential areas to the rear;
10. That paved access to both Highway 16 to the northwest and Fifth Street to the east be provided prior to issuance of a Building Permit for more than half the approved number of dwelling units;
11. That the recommendations outlined in the required geologic analysis be utilized in reviewing plats and building permits within the Southtown Heights PRD; and,
12. That an on-site metering dam be constructed near the intersection of City View Drive and Highway 16 and that an off-site metering dam be constructed in the drainage channel which leads to the Texas Street metering dam. Specific sites and design of these dams shall be determined during the platting process.

The subject property is zoned Low Density Residential District. The minimum required setbacks in the Low Density Residential District are 25 feet in the front and rear yard and eight feet in the side yards. The applicant is proposing to construct an enclosed sunroom on the rear of the

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existing structure. The applicant is now requesting a reduction in the required rear yard setback from 25 feet to 22 feet to allow the proposed addition.

STAFF REVIEW: Staff has reviewed the proposed Major Amendment to the Planned Residential Development and has noted the following issues:

Building Permit: Staff noted that a Building Permit must be obtained prior to any construction of the addition, and a Certificate of Occupancy must be obtained prior to occupancy of the addition.

Existing Site Work: Staff noted that the applicant has done some fill and excavation work on the subject property. Prior to issuance of a Building Permit, drawings showing the extents of the fill, in relation to the drainage easement and property lines must be submitted for review and approval. Staff also noted that some fill has encroached in the neighboring properties. Prior to issuance of a Building Permit, the applicant must provide documentation from the affected property owners indicating that the "as constructed" fill meets their approval. Prior to issuance of a Building Permit, a restoration plan for the unvegetated slopes, including seeding, fertilizer, mulch, and silt fence as required must be submitted for review and approval.

Setbacks: Staff noted that the intent of the Zoning Ordinance is to ensure adequate open space, and circulation of light and air throughout the City. This goal is met through specific requirements that require a minimum distance a structure must be located from the property lines.

As previously indicated, the applicant is requesting a reduction in the required 25 foot rear yard setback to allow the construction of a sunroom addition on the rear of the existing single family residence. The primary use of the rear yard is for family or group activities. The purpose of rear yards is to insure adequate distances and separation between structures. There is an existing single family residence located on the property to the north of the subject property. The rear yard of the subject property abuts the rear yard of the adjacent property. There will be approximately 60 feet between the proposed sunroom addition on the subject property and the single family residence located on the adjacent property to the north.

The rear yard of the subject property and the rear yard of the adjacent property to the north are both located on steep slopes. There is a large ravine running generally east and west that separates the properties along City View Drive and Alta Vista Drive. The distance between the two structures and existing topography of the area provides justification for the requested reduced setback.

Notification Requirement: The required sign has not been installed on the property, and the receipts for the required certified mailings have not been returned as of this date. Staff will notify the Planning Commission at the September 23, 2004 Planning Commission meeting if these requirements have not been met.

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Staff is recommending approval of the Major Amendment to a Planned Residential Development with the previously stated stipulations.