

# STAFF REPORT

April 26, 2007

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## **No. 07PD027 - Major Amendment to a Planned Residential Development** **ITEM 26**

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### GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for O'Brien Construction
REQUEST	<b>No. 07PD027 - Major Amendment to a Planned Residential Development</b>
EXISTING LEGAL DESCRIPTION	Lots 8, 9 and 10 in Block 10 of Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 8A, 8B, 9A, 9B, 10A and 10B, Block 10, Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.57 acres
LOCATION	South of Heidiway Lane between Carmel Point and Sheridan Lake Road
EXISTING ZONING	Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Medium Density Residential District (Planned Residential Development)
East:	Medium Density Residential District (Planned Residential Development)
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/30/2007
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

### RECOMMENDATION:

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

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1. The front yard setback on Lot 8A is hereby reduced from 18 feet to 17.67 feet for the existing structure. Any other development and/or redevelopment of the property shall provide a minimum front yard setback of 18 feet in front of the garage and a minimum 15 feet in front of the residence;
2. The front yard setback on Lot 8B is hereby reduced from 18 feet to 16.44 feet for the existing structure. Any other development and/or redevelopment of the property shall provide a minimum front yard setback of 18 feet in front of the garage and a minimum 15 feet in front of the residence;
3. The side yard setback along the south side of Lot 8A is hereby reduced from eight feet to 7.69 feet for the existing structure contingent upon the vacation of a portion of the previously dedicated eight foot wide minor drainage and utility easement along the lot line. In addition, any other development and/or redevelopment of the property shall provide a minimum eight foot side yard setback for a one story structure and a minimum 12 foot side yard setback for a two story structure;
4. The proposed structures shall conform architecturally to the previously approved plans and elevations; and,
5. The Major Amendment to the Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for two years.

#### GENERAL COMMENTS:

The applicant has submitted a Major Amendment to the Planned Residential Development to reduce two front yard setback(s) from 18 feet to 16.44 feet and 17.67 feet, respectively, and to reduce a side yard setback from eight feet to 7.69 feet. The applicant has also submitted two separate Preliminary Plats (File #07PL055 and #07PL056) to subdivide the subject property into six townhome lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #07SV021) to waive the requirement to install a sidewalk along both sides of Carmel Point as it abuts the subject property.

On May 27, 2004, the Planning Commission approved a Major Amendment to a Planned Residential Development (File #04PD018) to allow for the development of 32 residential townhome units in lieu of garden cottages as originally approved in the Fairway Hills Planned Residential Development. The subject property is a part of the approved townhome development. In addition, on July 6, 2004, the City Council approved a Preliminary Plat (File #04PL023) to subdivide the property into 16 lots and on September 16, 2004, a Final Plat (File #04PL128) was approved creating the 16 lots. The applicant indicated that the 16 lots would be divided at the time of construction, and, as such, has submitted the two associated Preliminary Plats.

The property is located in the southwest corner of Heidiway Lane and Carmel Point. Currently, a townhome unit is located on proposed Lot 8A and Lot 8B. In addition, a townhome foundation is located on proposed Lots 9A, 9B, 10A and 10B, respectively.

#### STAFF REVIEW:

Staff has reviewed the Major Amendment to a Planned Residential Development and has noted the following considerations:

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Setbacks: The previously approved Major Amendment to a Planned Residential Development (File #04PL018) stipulated a minimum front yard setback of 18 feet in front of the garage and a minimum 15 feet in front of the residence. However, the northeast corner of the garage located on proposed Lot 8A is located 17.67 feet from the front lot line. In addition, the southeast corner of the garage located on proposed Lot 8B is located 16.44 feet from the front lot line. The applicant has submitted a site plan identifying that an 18 foot parking apron is being provided in front of the garage. As such, staff is recommending that the front yard setbacks be reduced as requested for the existing structure. Any other development and/or redevelopment of the property must provide a minimum front yard setback of 18 feet in front of the garage and a minimum 15 feet in front of the residence.

The applicant has also indicated that the southeast corner of the garage located on proposed Lot 8A is located 7.69 feet from the side lot line in lieu of eight feet. An eight foot wide minor drainage and utility easement currently exists along this lot line. However, the associated Preliminary Plat identifies the relocation of this portion of the minor drainage and utility easement. The applicant has demonstrated that the site will continue to drain in the remaining portion of the minor drainage easement. In addition, the applicant has submitted written documentation from all of the affected utility companies indicated concurrence with the proposed easement vacation. As such, staff is recommending that the side yard setback along the south side of Lot 8A be reduced from eight feet to 7.69 feet for the existing structure contingent upon the vacation of a portion of the previously dedicated eight foot wide minor drainage and utility easement along the lot line. In addition, any other development and/or redevelopment of the property must provide a minimum eight foot side yard setback for a one story structure and a minimum 12 foot side yard setback for a two story structure

Design: The applicant has indicated that the structures will conform architecturally to the previously approved plans and elevations. In particular, the townhome units will be one story structures with a peaked shingled roof. In addition, the structures will be constructed with wood, simulated wood, glass, drivet and have brown earth tone colors. Staff is recommending that the proposed structures conform architecturally to the previously approved plans and elevations.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the April 26, 2007 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.