

STAFF REPORT  
July 5, 2007

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**No. 07PD043 - Major Amendment to a Planned Residential Development**      **ITEM 28**

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GENERAL INFORMATION:

PETITIONER	Pastor Ted F. Bird for Esther Fisher
REQUEST	<b>No. 07PD043 - Major Amendment to a Planned Residential Development</b>
EXISTING LEGAL DESCRIPTION	Lot 4 of Block 7 of Auburn Hills Subdivision, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .25 acres
LOCATION	853 Auburn Drive
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Low 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	6/9/2007
REVIEWED BY	Loren Fuhrmann / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development to allow the construction of a two-family residential building be approved with the following stipulations:

1. The uses allowed within the Planned Residential Development shall be limited to a maximum of two dwelling units;
2. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the new structure;
3. Prior to any construction in the public right-of-way a Right-Of-Way Permit shall be obtained;
4. If any on-site signage is proposed, a sign package shall be submitted for review and approval prior to Planning Commission approval;
5. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;
6. Prior to issuance of a Building Permit, the applicant shall submit a revised plan showing the size and location of water and sanitary services;
7. A minimum front yard setback of 18 feet shall be provided in front of the structure, a

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minimum side yard setback of 8 feet shall be provided for a single story structure, and a minimum rear yard setback of 25 feet shall be provided for the structure located on the subject property. Any additional reductions in the minimum required setbacks shall require a Major Amendment to the Planned Residential Development;

8. All applicable provisions of the International Fire Code shall be continually met;
9. The proposed structures shall conform architecturally to the plans and elevations submitted; and,
10. 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 a period of two years.

**GENERAL COMMENTS:**

The subject property is located at 853 Auburn Drive. The property is located southwest of the intersection of Auburn Drive and Charmwood Drive. The property contains approximately 0.25 acres and is void of any structural development. The property is located within the municipal boundaries of the City of Rapid City.

On October 9, 2003 the Planning Commission approved a Planned Development Designation (#03PD051) for the subject property with one stipulation. That stipulation of approval was as follows:

1. No building permits or sign permits shall be issued for the property until such time as an Initial and Final Development Plan has been approved for the property.

On September 21, 2006 the Planning Commission approved a Planned Residential Development – Initial and Final Development Plan (#06PD064) authorizing the development of a two-family residential building on the subject property with nine stipulations. The stipulations of approval were as follows:

1. The uses allowed within the Planned Residential Development shall be limited to a maximum of two dwelling units;
2. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the new structure;
3. If any on-site signage is proposed, a sign package shall be submitted for review and approval prior to Planning Commission approval;
4. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;
5. Prior to issuance of a Building Permit, the applicant shall submit a revised plan showing the size and location of water and sanitary services;
6. A minimum front yard setback of 18 feet shall be provided in front of the structure, a minimum side yard of 8 feet shall be provided for a single story structure, and a minimum rear yard setback of 25 feet shall be provided for the structure located on the subject property. Any additional reductions in the minimum required setbacks shall require a Major Amendment to the Planned Residential Development;
7. All applicable provisions of the International Fire Code shall be continually met;
8. The proposed structures shall conform architecturally to the plans and elevations submitted; and,
9. The Planned Residential Development shall expire if the use is not undertaken and

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completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

The applicant is now requesting approval of a Major Amendment to a Planned Residential Development – Initial and Final Development Plan to allow the construction of a two-family residential building on the subject property and reducing the front yard setback from 25 feet to 18 feet.

STAFF REVIEW:

Staff has reviewed the Planned Residential Development and has noted the following issues:

Lot size:

The property is 11,075 square feet and meets the lot size requirements for a two-family residential building.

Building Permit:

A Building Permit must be obtained prior to any construction, and a Certificate of Occupancy must be obtained prior to occupancy of the building.

Right-Of-Way Permit:

A Right-Of-Way Permit must be obtained prior to any construction in the public right-of-way.

Design Features:

The applicant's site plan shows the location of the proposed two-unit residential building. The submitted site plan identifies the building footprint of the proposed structure to be 3,308 square feet. The plans indicate the structure will be constructed with pre-finished siding, and asphalt shingles. The applicant's building elevations show the maximum height of the structure to be 14 feet, in compliance with Section 17.12.070 of the Rapid City Municipal Code.

Setbacks:

The applicant has requested that the minimum required front yard setback along Auburn Drive be reduced from 25 feet to 18 feet to the residence. Staff noted the Planning Commission and City Council have supported a reduction of front yard setbacks in other Planned Residential Developments with a minimum front yard setback of 15 feet for the dwelling unit portion of the structures. Staff also noted that the submitted plans meet the minimum required side yard setback of 8 feet for a single story structure and the minimum required rear yard setback of 25 feet. As such, staff recommends a minimum front yard setback of 18 feet in front of the residence be provided. The applicant's site plan shows that the garage doors are located on the north side of the garage providing a minimum 18 foot parking apron on the subject property.

Lighting/Signage:

The applicant's site plan shows all outdoor lighting to be located on the exterior walls of the structure. The applicant's site plan does not indicate the location of any on-site signage. If any on-site signage is proposed, a sign package must be submitted for review and approval prior to Planning Commission approval.

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Parking:

The Rapid City Municipal Code requires that two parking stalls per dwelling unit be provided for a duplex. The plans show a two-car garage for each unit. The applicant's parking plan is in compliance with all applicable provisions of Section 17.50.270 of the Rapid City Municipal Code.

Water and Sanitary Services:

Staff noted that no water or sanitary sewer services were indicated on the plans. Prior to issuance of a Building Permit, the applicant must submit a revised site plan showing the size and location of the proposed water and sanitary sewer services.

Notification:

As of this writing, the required sign has not been posted on the property and the receipts from the required notification of surrounding property owners have not been returned. Staff will notify the Planning Commission at the July 5, 2007 Planning Commission meeting if these requirements have not been met.

Staff recommends that the Major Amendment to a Planned Residential Development be approved with the above stated stipulations.