

STAFF REPORT
September 6, 2007

No. 07PD063 - Major Amendment to a Planned Residential Development

ITEM 30

GENERAL INFORMATION:

APPLICANT	Orville and Marilyn Zimmerman
AGENT	Roger Beck
PROPERTY OWNER	Orville and Marily Zimmerman
REQUEST	No. 07PD063 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lot 11A of Block 2 of Fountain Springs Park Subdivison, located in the NW1/4 SW1/4 of Section 26, and the NE1/4 of the SE1/4 and the SE1/4 of the NE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .14 acres
LOCATION	1935 Sunny Springs Drive
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Office Commercial District
East:	Medium Density Residential District
West:	Office Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/6/2007
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:

1. The rear yard setback is hereby reduced from 19 feet to 15 feet for a deck;
2. The proposed deck shall conform architecturally to the plans, elevations and color palette submitted as part of the Residential Development Plan;
3. A building permit shall be obtained prior to any construction of the deck;
4. A minimum of two maple trees shall be planted and maintained in a live vegetative state between the west lot line of the property and the deck. In addition, the trees shall be located outside of the eight foot wide major drainage easement along the west lot line of the property;

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5. All provisions of the Office Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Major Amendment or a subsequent Major Amendment; and,
6. 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. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Residential Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Residential Development Plat to reduce the rear yard setback from 19 feet to 15 feet for a deck.

On March 10, 2005, the Planning Commission approved an Initial and Final Planned Residential Development (#05PD010) to allow 32 townhomes and one single family residence. The applicant's property was one of the approved townhome lots.

The property is located approximately 120 feet south of the intersection of Wesleyan Boulevard and Sunny Springs Drive on the west side of Sunny Springs Drive. Currently, a townhome unit is located on the property.

STAFF REVIEW:

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

Deck: The applicant has submitted a site plan showing a ten foot wide deck wrapping around the southwest corner of the townhome unit. Chapter 17.50.250 of the Rapid City Municipal Code allows a deck to encroach six feet into a yard setback. The proposed deck is located ten foot into the rear yard setback, or 15 foot from the rear lot line. The applicant has submitted a site plan showing two maple trees to be planted between the deck and the rear lot line in order to provide a buffer between the deck and the adjacent property. As such, staff is recommending that the rear yard setback be reduced from 19 feet to 15 feet for the deck. In addition, staff is recommending that a minimum of two maple trees be planted and maintained in a live vegetative state between the west lot line of the property and the deck. In addition, the trees must be located outside of the eight foot wide major drainage easement along the west lot line of the property

The applicant has also indicated that the deck will be constructed with a composite material made of wood particles and plastic, a simulated wood material and that the deck will be the same earth tone color as the townhome unit. As such, staff is recommending that the proposed deck conform architecturally to the plans and elevations and color palette submitted as part of the Residential Development Plan.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the September 6, 2007 Planning Commission meeting if these

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requirements have not been met. Staff has not received any calls or inquires regarding this proposal.