

STAFF REPORT
October 23, 2008

No. 08PD052 - Major Amendment to a Planned Residential Development **ITEM 53**

GENERAL INFORMATION:

APPLICANT/AGENT	Jay Schmierer for Mandalay Homes
PROPERTY OWNER	Anuiadha Shende
REQUEST	No. 08PD052 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lot 13 of Block 2 of Red Rock Meadows Subdivision, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.21 acres
LOCATION	6446 Cog Hill Lane
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	9/24/2008
REVIEWED BY	Jared Ball / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development be denied without prejudice.

GENERAL COMMENTS: The property is located at 6446 Cog Hill Lane north of Sahalee Drive, south of Vardon Court and east of Cog Hill Lane. The property is currently zoned Low Density Residential District with a Planned Residential Development. The adjacent properties to the north, south, east, and west are currently zoned Low Density Residential District with a Planned Residential Development.

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On November 5, 2005 The Rapid City Planning Commission approved a Planned Residential Development – Initial and Final Development Plan (#05PD074) with stipulations.

One of the stipulations of approval was that a minimum 18 foot front yard set back shall be provided in front of each residence. The applicant has constructed a single family residence on the property with a front yard setback of 17.6 feet and is now requesting a Major Amendment to the Planned Residential Development to reduce the front yard set back from the required 18 feet to 17.6 feet.

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

Building Permit: A building permit was issued for the property on August 28, 2008. The building permit application indicated that the garage would be set back 19 feet from the front property line. It appears that the approved plans and dimensions were not followed during the construction of the home. To avoid any prejudice in reviewing this request, staff has considered the application as if it has been submitted prior to the work being completed.

Parking: The Low Density Residential District requires a minimum 25 foot front yard setback for residential structures. However, the Planning Commission has allowed reduced setbacks within Planned Residential Developments when a minimum 18 foot front yard setback is provided in front of the proposed garages in order to insure a vehicle may be parked in the driveway without overhanging the public right-of-way or across the sidewalk in violation of the Rapid City Municipal Code. An 18 foot setback in the front of the proposed garage is the minimum necessary to insure that a vehicle may be parked in the driveway without overhanging the right-of-way or crossing the sidewalk creating a public safety hazard. The proposed 17.6 foot setback is not adequate. As such, staff recommends denial of the Major Amendment to a Planned Residential Development.

Notification Requirement: As of this writing, the sign has been posted on the property. However, all of the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the November 6, 2008 Planning Commission meeting if these requirements have not been met.