

# STAFF REPORT

March 4, 2010

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## **No. 10PD009 - Major Amendment to a Planned Residential Development      ITEM 25**

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### GENERAL INFORMATION:

APPLICANT	J & J Enterprises
AGENT	Jerry Peterson
PROPERTY OWNER	J & J Enterprises, LLC
REQUEST	<b>No. 10PD009 - Major Amendment to a Planned Residential Development</b>
EXISTING LEGAL DESCRIPTION	Lot 2 of Block 4 of Copperfield Vistas Subdivision, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.17 acres
LOCATION	1023 Copperfield Drive
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 sewer and water
DATE OF APPLICATION	1/28/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

### RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development be continued to the March 25, 2010 Planning Commission meeting.

### GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Residential Development to reduce the rear setback from 25 feet to 14.146 feet for an open deck and to increase the lot

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coverage from 30% to 32.8% due to the construction of the proposed open deck. The Major Amendment is specific to Lot 2 of Block 4 and is a part of the Copperfield Vista Subdivision.

On August 9, 2007, the Planning Commission approved an Initial and Final Planned Residential Development (File #07PD004) to construct 278 single family residential lots on 61.13 acres as a part of the Copperfield Vista Subdivision, which included this property. The previously approved Initial and Final Planned Residential Development stipulated that "a minimum 18 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence. In addition, a minimum 25 foot rear yard setback shall be provided." The applicant is requesting that the rear yard setback be reduced from 25 feet to 14.146 feet to allow for a 12 foot long by 17 foot wide open deck to be constructed along the rear of the house. In addition, the applicant has indicated that the future occupant of the residence is a special needs individual that is losing the ability to walk. The proposed deck will allow her to enjoy the back yard.

The property is located west of Copperfield Drive, south of Bar Five Ranch Road and north of Conservation Way. Currently, a single family residence is being constructed on the property.

#### STAFF REVIEW:

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

Density: Chapter 17.10 of the Rapid City Municipal Code states that "dwellings and building accessory thereto shall cover not more than 30% of the lot area". Constructing the proposed deck will result in lot coverage of 32.85%. The applicant is requesting that an Exception be granted to allow the additional lot coverage for the open deck.

Based on the applicant's site plan, the proposed impervious area, which includes the building footprint and the parking apron, will exceed 43%. Surface and storm sewer drainage improvements constructed with the Copperfield Vista Subdivision, Phase One, appear to have been sized based on a 35 to 40% impervious area. In addition, the major stormwater detention components appear to be sized for 35 to 43% impervious areas. As such, the drainage improvements for the subdivision should accommodate the additional lot coverage. However, in order to insure that the lot has been designed to accommodate the additional lot coverage, a drainage analysis identifying the impact of the proposed deck and providing additional on-site drainage improvements as warranted must be submitted for review and approval.

Staff recommends that the Major Amendment to the Planned Residential Development be continued to the March 25, 2010 Planning Commission meeting to allow the applicant to submit a drainage analysis as identified.

Setbacks: Chapter 17.50.250 of the Rapid City Municipal Code states that an open porch or terrace may extend 6 feet into the required setback. Pursuant to this regulation, the proposed open deck could be located 19 feet from the rear lot line. As previously indicated,

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the applicant is requesting that the setback be reduced to 14.146 feet for the deck. This is in addition to the reduced front yard setback previously granted to allow a minimum 18 foot front yard setback in front of the garage and a minimum 15 foot front yard setback in front of the residence.

In January of 2009, the Planning Commission approved a similar Initial Planned Development request to allow for the encroachment of porches with roofs but no walls or other enclosures within the rear yard setback as a part of the Skyline Village residential development. In particular, it was noted that a porch with no walls or other enclosure(s) will have limited impact on the adjacent properties if a landscape buffer or a screening fence is provided along the rear lot line of the property. Subsequently, the rear yard setback was reduced with the stipulation that a landscape buffer or screening fence be provided to insure that a visual separation and a noise buffer are being provided between the adjacent properties.

The City has approved one other residential development known as "Kateland Subdivision" as an "experimental development" with reduced front yard and rear yard setbacks. In particular, the front yard setback was reduced to allow a minimum 18 foot front yard setback in front of the garage and a minimum 15 foot front yard setback in front of the residence. In addition, the rear yard setback was reduced to 15 feet for the residence. Fencing and/or other screening was not required. The City has received complaints that the reduced setbacks in that development do not allow for adequate separation between residential units.

In consideration of reducing the rear yard setback from 25 feet to 14.146 feet for the open deck, staff recommends that a landscape buffer or a screening fence be provided along the rear lot line. In addition, the fencing must be located outside of the 8 foot wide minor drainage and utility easement located along the interior lot line(s) or the applicant must obtain approval from the City Engineer to allow the fence within the easement.

Fire Department: The Fire Department has indicated that since the future occupant of the residence is a special needs individual that is losing the ability to walk as per the applicant's statement, the applicant should consider the installation of a residential fire sprinkler system. Even though the fire sprinkler system is not required, it would significantly enhance the safety of the occupant.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned. Staff will notify the Planning Commission at the March 4, 2010 Planning Commission meeting if this requirement has not been met.