

STAFF REPORT
June 10, 2010

No. 10PD038 - Major Amendment to a Planned Residential Development **ITEM 27**

GENERAL INFORMATION:

APPLICANT	Rapid City Defense Housing Corporation
AGENT	Wyss Associates, Inc.
PROPERTY OWNER	Rapid City Defense Housing Corporation
REQUEST	No. 10PD038 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lots 1 thru 32 of Block 3 of Dakota Ridge Subdivision, all in the SE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.29 acres
LOCATION	West of Cambell Street, south of East Minnesota Street and east of Elm Avenue
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation) - General Commercial District (Planned Development Designation) - Low Density Residential District
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	5/6/2010
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

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

1. Prior to Planning Commission approval, a copy of the recorded Covenant Agreement

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- identifying ownership and maintenance of the pedestrian access easement shall be submitted for review and approval;
2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 3. The structures shall conform architecturally to the elevations, design plans and color palette submitted as part of this Major Amendment to the Planned Residential Development.
 4. Each residence shall continually provide a minimum two stall garage in order to meet the off-street parking requirement;
 5. An Exception is hereby granted reducing the front yard setback(s) for the existing structures as follows: 14.9 feet on Lot 2R, 14.8 feet on Lot 5R, 14.9 feet on Lot 6R, 14.6 feet on Lot 7R, 14.9 feet on Lot 8R, 14.9 feet on Lot 10R, 14.5 feet on Lot 12R, 14.6 feet on Lot 13R, 14.8 feet on Lot 14R, 14.2 feet on Lot 16R, 14.7 feet on Lot 19R, 14.4 on Lot 20R, 14.7 feet on Lot 22R, 14.7 feet on Lot 23R, 14.5 feet on Lot 24R, 14.5 feet on Lot 25R, 14.7 feet on Lot 26R, 14.5 feet on Lot 27R, 14.6 feet on Lot 28R, 14.7 feet on Lot 29R, 14.6 feet on Lot 30R, 14.7 feet on Lot 31R and 14.8 feet on Lot 32R. Any removal of the portion of the building that encroaches into the setback shall require that a minimum 25 foot front yard setback be provided;
 6. An Exception is hereby granted reducing the side yard setback(s) for the existing structures as follows: 4.1 feet along the west lot line of Lot 2R, 7.4 feet along the east lot line of Lot 10R, 7.4 feet along the west lot line of Lot 11R, 4.9 feet along the south lot line of Lot 12R, 6.4 feet along the northeast lot line of Lot 13R, 7.7 feet along the west lot line of Lot 13R, 5.5 feet along the west lot line of 17R, 3.5 feet along the north lot line of Lot 19R, 3.2 feet along the west lot line of 22R, 11.7 feet along the southwest lot line of Lot 24R, 7.6 feet along the northeast lot line of Lot 24R, 6 feet along the north lot line of Lot 28R, 5.8 feet along the south lot line of Lot 30R, 7.5 feet along the north lot line of Lot 30R, 6.5 feet along the south lot line of Lot 31R, 3.4 feet along the north lot line of Lot 31R and 2.9 feet along the north lot line of Lot 32R. Any removal of the portion of the building that encroaches into the setback shall require that a minimum 12 foot side yard setback be provided for a two story structure and that a minimum 8 foot side yard setback be provided for a one story structure;
 7. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Residential Development or a subsequent Major Amendment; and,
 8. The Planned Residential Development shall allow for a single family residence with an attached garage, decks and accessory structures on each residential lot and common areas with a community center and accessory structures to provide recreational areas and storage for the development. However, the Planned Residential Development shall expire if the use as approved has ceased for two years.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Residential Development to reduce setbacks for the existing development currently located on the property. In addition, the applicant has submitted a Preliminary Plat to replat the property moving interior lot lines on 32 residential lots. The property is a part of "Dakota Ridge Subdivision", a 200 residential lot development with common areas and a community center and accessory

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structures to provide recreational areas and storage for the development.

Dakota Ridge was developed in the early 1980's by the Rapid City Defense Housing Corporation and annually leased to the U.S. Air Force to provide housing for U.S. Air Force personnel. The applicant has indicated that the lease agreement expires in October, 2010; however, the leases are being released as the properties are being sold. A recent survey of the property identified that several of the structures encroach into setbacks. In addition, some of the existing fences do not follow lot lines as originally proposed. As such, the applicant has submitted this Preliminary Plat and Major Amendment to the Planned Residential Development to address the as-built conditions for 32 of the 200 lots as Phase One of the project. Eventually, a Preliminary Plat and a Major Amendment to the Planned Residential Development will be submitted for the balance of Dakota Ridge to address the setback and utility issues associated with those lots.

The property is located west of Cambell Street and south of E. Minnesota Street. Currently, a single family residence is located on each lot.

STAFF REVIEW:

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

Design Features: The existing single family residences are constructed with a combination of stone, glass, wood, brick, and simulated wood siding. In addition, the single family residences are one story and two story structures with attached garages and decks. The residences also have pitched roofs with asphalt shingles. The residences are earth tone in color. Staff is recommending that the residences continue to conform architecturally to the plans, elevations and color palette submitted as part of this Major Amendment to the Planned Residential Development.

Parking: A minimum of two off-street parking spaces must be provided for each residential lot. The applicant has indicated that each residence has been constructed with a minimum two car garage which meets the parking requirement.

Staff recommends that each residence continually provide a minimum two stall garage in order to meet the off-street parking requirement.

Setbacks: The applicant has submitted a site plan identifying that several of the existing structures do not meet the minimum front and side yard setbacks. In addition, the applicant has requested that an Exception be granted to reduce the setbacks for the existing structures. In the past, the Planning Commission has granted Exception requests to reduce the setbacks for existing structures when off-street parking was continually being provided and with the stipulation that any removal of that portion of the building encroaching into the setback shall require that the minimum setbacks be provided.

As previously indicated, the applicant has demonstrated that each residence has been constructed with a minimum two car garage which meets the off-street parking requirement

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for a single family residential lot. As such, staff recommends that an Exception be granted reducing the front yard setback(s) for the existing structures as follows: 14.9 feet on Lot 2R, 14.8 feet on Lot 5R, 14.9 feet on Lot 6R, 14.6 feet on Lot 7R, 14.9 feet on Lot 8R, 14.9 feet on Lot 10R, 14.5 feet on Lot 12R, 14.6 feet on Lot 13R, 14.8 feet on Lot 14R, 14.2 feet on Lot 16R, 14.7 feet on Lot 19R, 14.4 on Lot 20R, 14.7 feet on Lot 22R, 14.7 feet on Lot 23R, 14.5 feet on Lot 24R, 14.5 feet on Lot 25R, 14.7 feet on Lot 26R, 14.5 feet on Lot 27R, 14.6 feet on Lot 28R, 14.7 feet on Lot 29R, 14.6 feet on Lot 30R, 14.7 feet on Lot 31R and 14.8 feet on Lot 32R. Staff also recommends that an Exception be granted reducing the side yard setback(s) for the existing structures as follows: 4.1 feet along the west lot line of Lot 2R, 7.4 feet along the east lot line of Lot 10R, 7.4 feet along the west lot line of Lot 11R, 4.9 feet along the south lot line of Lot 12R, 6.4 feet along the northeast lot line of Lot 13R, 7.7 feet along the west lot line of Lot 13R, 5.5 feet along the west lot line of 17R, 3.5 feet along the north lot line of Lot 19R, 3.2 feet along the west lot line of 22R, 11.7 feet along the southwest lot line of Lot 24R, 7.6 feet along the northeast lot line of Lot 24R, 6 feet along the north lot line of Lot 28R, 5.8 feet along the south lot line of Lot 30R, 7.5 feet along the north lot line of Lot 30R, 6.5 feet along the south lot line of Lot 31R, 3.4 feet along the north lot line of Lot 31R and 2.9 feet along the north lot line of Lot 32R. Any removal of that portion of the building encroaching into the setback shall require that a minimum 25 foot front yard setback be provided, that a minimum 12 foot side yard setback be provided for a two story structure and that a minimum 8 foot side yard setback be provided for a one story structure.

Pedestrian Access Easements: The applicant's site plan and associated plat document identify existing pedestrian access easements extending along several lot lines within the development. The applicant has indicated that a Covenant Agreement has been recorded securing ownership and maintenance of the easements. To date, a copy of the recorded Covenant Agreement has not been submitted for review and approval. As such, staff recommends that prior to Planning Commission approval, a copy of the recorded Covenant Agreement identifying ownership and maintenance of the pedestrian access easement be submitted for review and approval.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the June 10, 2010 Planning Commission meeting if these requirements have not been met.