

STAFF REPORT  
June 20, 2013

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**No. 13PD014 - Major Amendment to a Planned Development to reduce the amount of previously identified green space to allow for the construction of a single family residence**

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**ITEM 3**

GENERAL INFORMATION:

APPLICANT	Melissa Stanton
PROPERTY OWNER	Melissa Stanton
REQUEST	<b>No. 13PD014 - Major Amendment to a Planned Development to reduce the amount of previously identified green space to allow for the construction of a single family residence</b>
EXISTING LEGAL DESCRIPTION	Lot B of Dubois Subdivision, located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 and 2 of Lot B of Dubois Subdivision
PARCEL ACREAGE	Approximately .71 acres
LOCATION	At the current eastern terminus of Woodridge Court
EXISTING ZONING	Low Density Residential District (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District (Planned Development)
East:	Low Density Residential District (Planned Development)
West:	Low Density Residential District (Planned Development)
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	May 17, 2013
REVIEWED BY	Fletcher Lacock / Ted Johnson

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Development to reduce the amount of previously identified green space to allow for the construction of a single family residence be approved with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;

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2. Prior to issuance of a building permit, a Minor Plat shall be submitted for review and approval and shall be recorded at the Register of Deeds;
3. Prior to issuance of a building permit, written documentation shall be submitted to Community Planning and Development Services from the Woodridge Homeowners Association approving the installation of water across the Woodridge Drive street pavement;
4. Upon submittal of a building permit, the applicant shall provide erosion and sediment control for all construction and shall obtain tapping permits for water and sewer services;
5. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A. Engineered plans shall be submitted for any portion of the footings and foundation that is placed on fill dirt;
6. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
7. All applicable provisions of the adopted International Fire Code shall continually be met;
8. 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 Development or a subsequent Major Amendment; and,
9. The Major Amendment to the Planned Development shall allow the construction of a single family residence. Any change in use that is a permitted use in the Low Density Residential District shall require the review and approval of a building permit. Any change in use that is a Conditional Use in the Low Density Residential District shall require the review and approval of a Major Amendment to the Planned Development.

**GENERAL COMMENTS:**

The applicant has submitted a Major Amendment to the Planned Development to reduce the amount of previously identified open space and to allow for the construction of a single family dwelling on proposed Lot 2 of Lot B of Dubois Subdivision. The applicant is not requesting any exceptions from the Zoning Ordinance.

On August 7, 1971, the City Council approved a Planned Residential Development (File #66) to allow 106 housing units on approximately 36.8 acres of land. The above legally described property was identified as community open space with tennis courts and off-street parking.

On July 24, 2012, staff approved a Lot Line Adjustment (File #12PL034) creating Lots A and B of Dubois Subdivision. On October 12, 2012, the Planning Commission approved a Major Amendment to the Planned Development (File #12PD031) to reduce the amount of previously identified open space to allow for the construction of a single family residence on Lot B. On May 6, 2013, the applicant obtained a building permit to construct the single-family dwelling on Lot B. The applicant is now proposing to subdivide Lot B into two lots, which will allow a second residence to be constructed on the property.

On May 3, 2013, the Community Planning and Development Services Director approved a Minimal Amendment (File #12PD031A) to change the location of the previously approved dwelling and driveway location on Lot B.

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The property is located on the east side of Woodridge Drive approximately 400 feet southwest of the intersection of Flormann Street, 9<sup>th</sup> Street and Woodridge Drive. Other than a paved area on the west side of the property, the property is undeveloped.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Planned Development with respect to Chapter 17.50.050(F)5 and has noted the following considerations:

Use: Previously, the amount of approved community open space was reduced from 33% to approximately 31%. The original Planned Development identified the above legally described property as the location of a tennis court with off-street parking. Currently, there is a paved area on the property with a basketball hoop. The applicant has obtained a building permit for the previously approved single-family dwelling. The Woodridge Homeowners Association has stated support for the proposed second single-family residence. Public Works staff has indicated the proposed reduction in community open space will have a minimal impact on drainage and utilities in the area.

The applicant is proposing to subdivide the above legally described property into two lots for the future construction of a single family dwelling. As of this writing, the applicant has withdrawn a Preliminary Subdivision Plan and will be submitting a Minor Plat as no subdivision improvements are required. The property is zoned Low Density Residential District. A single family residence is a permitted use in the Low Density Residential District. All provisions of the Low Density Residential District must be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment. The Major Amendment to the Planned Development will allow the construction of a single family residence. Any change in use that is a permitted use in the Low Density Residential District will require the review and approval of a building permit. Any change in use that is a Conditional Use in the Low Density Residential District will require the review and approval of a Major Amendment to the Planned Development.

Engineering: Woodridge Drive is a private street and classified as a local street. The Woodridge Homeowners Association is responsible for the maintenance of the street. The location of the driveways meets the design requirements of the Infrastructure Design Criteria Manual and has been reviewed and approved by the Woodridge Homeowners Association. The water main is located on the opposite side of the street and will require the Woodridge Homeowners Association approval to install pipe across Woodridge Drive. As such, prior to issuance of a building permit, the applicant must submit written documentation to Community Planning and Development Services from the Woodridge Homeowners Association approving the installation of water across the Woodridge Drive street pavement.

The applicant should be aware that erosion and sediment control must be provided for all construction activities and that permits for tapping water and sewer services must be obtained upon submittal of a building permit.

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Building Permit: A building permit must be obtained prior to any construction. Prior to issuance of a building permit, a Minor Plat must be submitted for review and approval and must be recorded at the Register of Deeds in order to create separate lots for the two proposed dwellings. Upon submittal of a building permit, plans must be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A. The applicant should be aware that if fill dirt is to be brought to the site for the construction of the residence, engineered plans must be submitted for the footings and foundation. In addition, temporary or permanent site stabilization must be achieved prior to issuance of a Certificate of Occupancy.

Fire Department: All applicable provisions of the adopted International Fire Code must continually be met.

Notification: As of this writing, the first class mailings have not been returned to Community Planning and Development Services for mailing. The sign has been picked up; however, as of this writing, staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the June 20, 2013 Planning Commission meeting if these requirements have not been met.