



Rapid City Planning Commission

Major Amendment to a Planned Development Project

Report

June 8, 2017

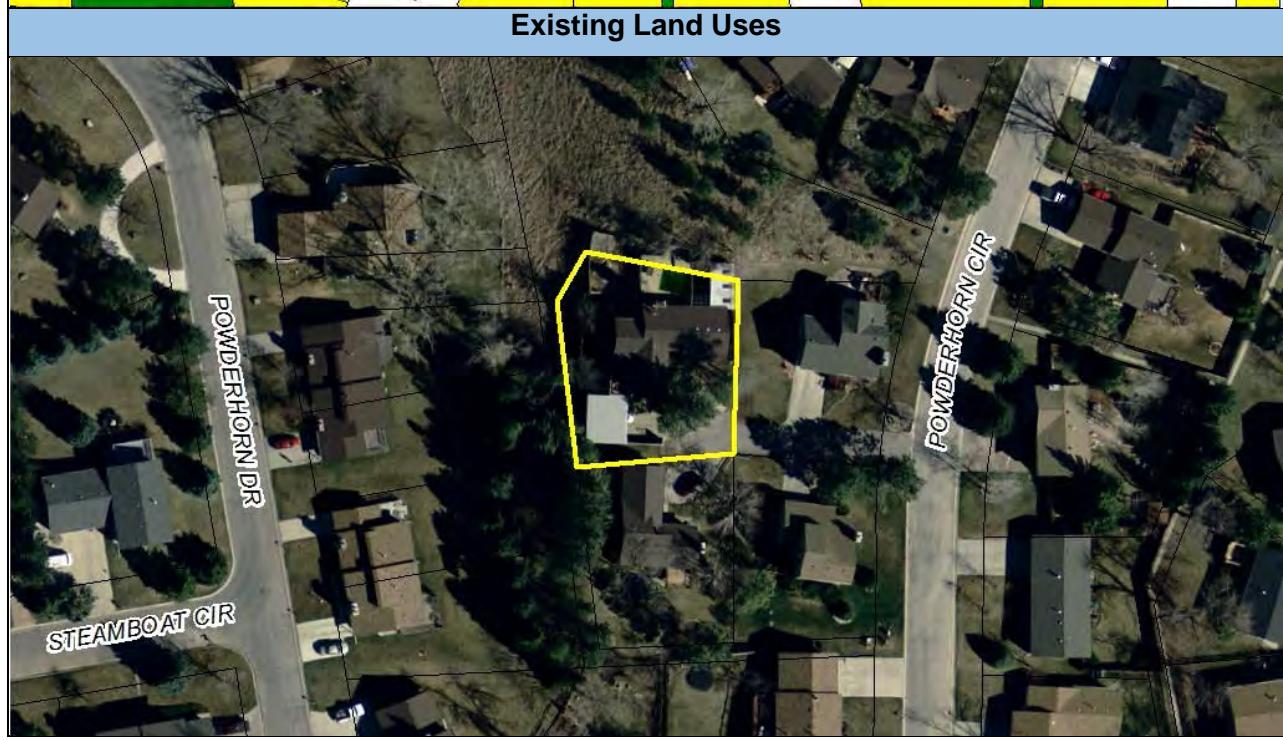
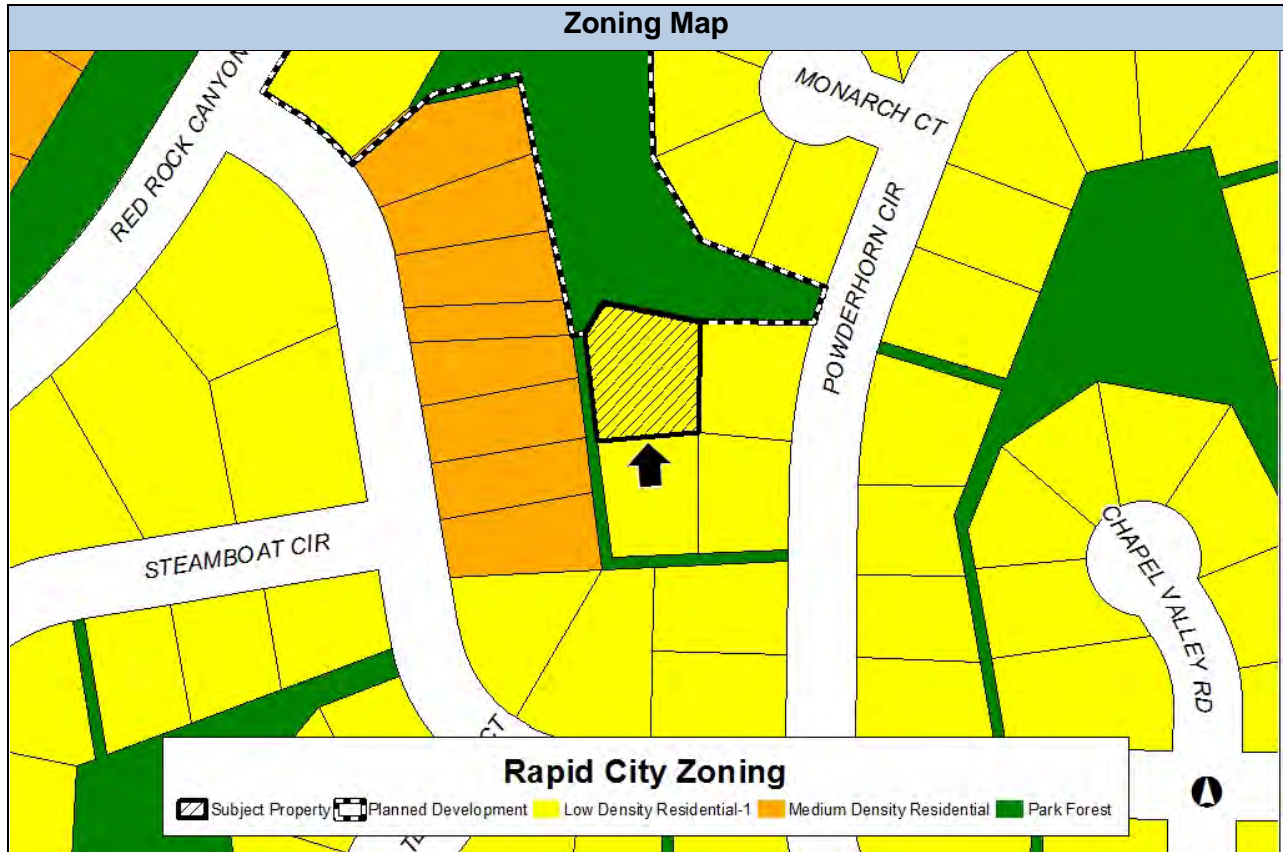
Item #7
Applicant Request(s)
Case # 17PD018 – Major Amendment to a Planned Development to reduce setbacks to a retaining wall
Companion Case(s) N/A

Development Review Team Recommendation(s)
The Development Review Team recommends that the Major Amendment to a Planned Development to reduce setbacks to a retaining wall be approved with the stipulations noted below.

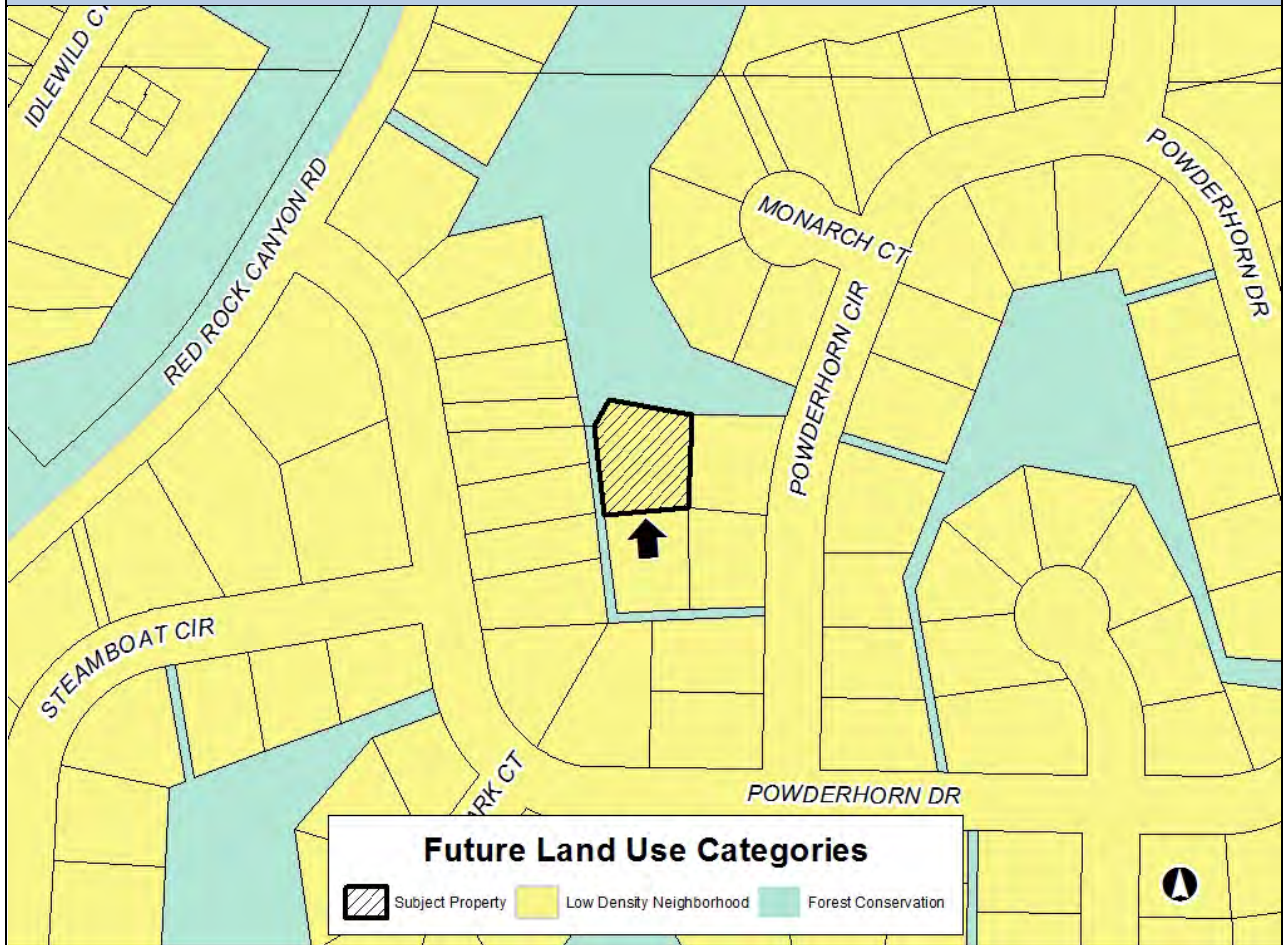
Project Summary Brief	
<p>The applicant has submitted a Major Amendment to a Planned Development to reduce setbacks to a retaining wall. In particular, the applicant is proposing to replace an existing retaining wall that is collapsing. The applicant is requesting to reduce the minimum required side yard setback from 8 feet to 2.7 feet and to reduce the minimum required rear yard setback from 25 feet to 6 feet. The proposed retaining wall measures between 5 feet and 8 feet. The retaining wall is located along the north and west property lines adjacent to common area owned by the Chapel Valley Homeowners Association. A permanent access easement has been granted by the homeowners association for the applicant to use the adjacent property to construct the retaining wall.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Jeffery and Kate Collins	Planner: Fletcher Lacock
Property Owner: Jeffery and Kate Collins	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: Howe Land Surveying	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	3505 Powderhorn Circle
Neighborhood	Sheridan Lake Road
Subdivision	Chapel Valley
Land Area	0.24 acres (10,454 square feet)
Existing Buildings	Single-family dwelling
Topography	Drops in elevation from east to west
Access	Powderhorn Circle
Water Provider	Chapel Valley
Sewer Provider	Chapel Valley
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A
Other	N/A

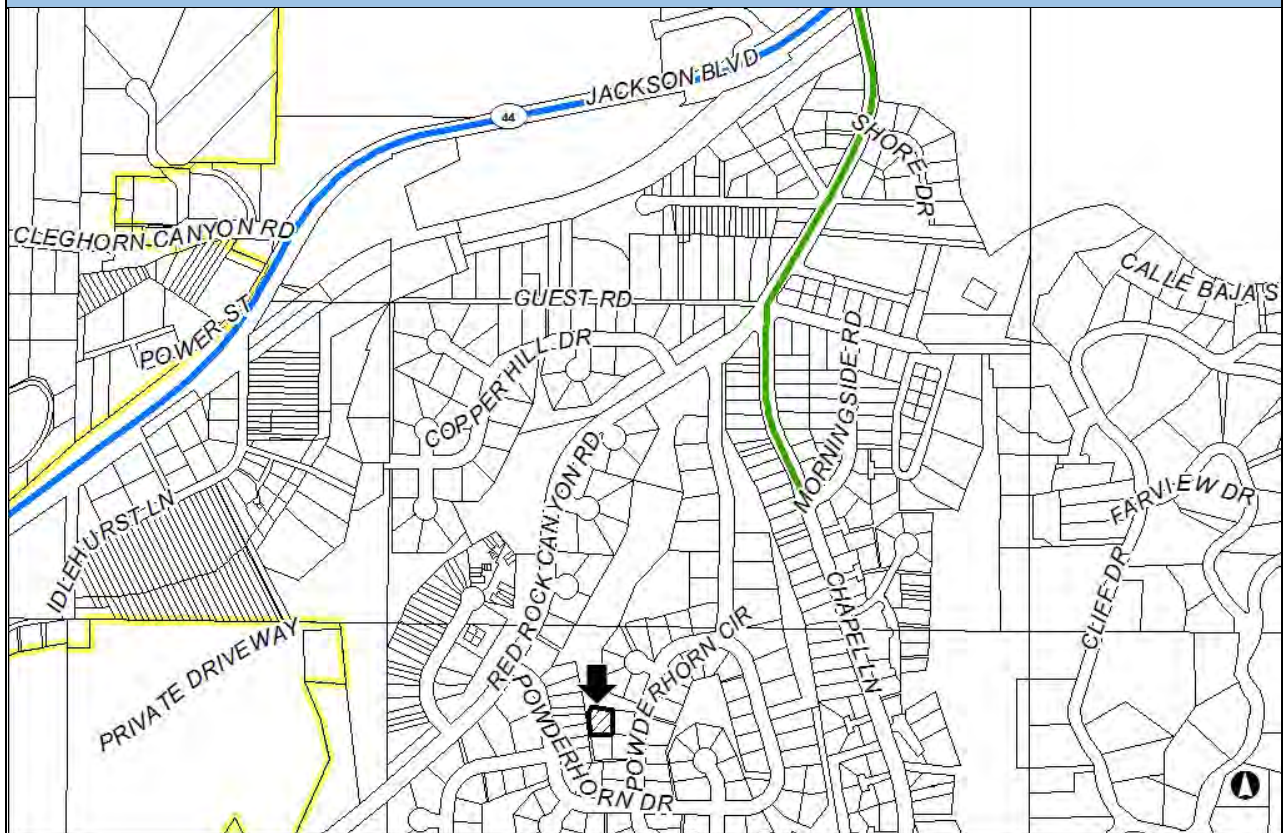
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	LDR - PD	LDN	Single-family dwelling
Adjacent North	PF - PD	FC	Common area
Adjacent South	LDR - PD	LDN	Single-family dwelling
Adjacent East	LDR - PD	LDN	Single-family dwelling
Adjacent West	MDR - PD	LDN	Townhome



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan

Subject Property (hatched pattern) Rapid City Limits (yellow) Collector (green) Principal arterial (blue)

Relevant Case History			
Case/File#	Date	Request	Action
PD1978	06/05/1978	County PD / Annexation	City Council approved
Relevant Zoning District Regulations			
Low Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	10,454 square feet	
Lot Frontage / Width	50 feet	Approximately 95 feet	
Maximum Building Heights	2½ stories or 35 feet	One story	
Maximum Density	30%	Legal non-conforming 36%	
Minimum Building Setback:			
• Front	20 feet	Zero feet / Existing condition	
• Rear	25 feet	Requesting Exception to reduce setback from 25 feet to 6 inches for proposed retaining wall	
• Side	8 feet	Requesting Exception to reduce setback from 8 feet to 2.7 feet for proposed retaining wall	
• Street Side	N/A	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	2	2	
• # of ADA spaces	N/A	N/A	
Signage	Per RCMC	None proposed	
Fencing	None Required	Proposed 8 foot high retaining wall	

Planning Commission Criteria and Findings for Approval or Denial	
<p>Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a Final Planned Development Overlay:</p>	
Criteria	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	The property is approximately 0.24 acres in size. The property abuts a drainage area on the east and north property lines. The applicant is proposing to reconstruct a collapsing retaining wall.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The applicant is proposing to reconstruct existing retaining walls that are on the verge of collapse.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations:	The intent of the Zoning Ordinance is to maintain separation between structures on adjacent properties. The adjacent property to the north and west is a common area owned by the Chapel Valley Homeowners Association which has granted an easement for the proposed retaining wall.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	The property is zoned Low Density Residential District and a single-family dwelling is identified as a permitted use.
5. Any adverse impacts will be reasonably mitigated:	As noted above, the applicant is proposing to reconstruct a failing retaining wall. The applicant is not proposing to

	expand the dwelling. The applicant should be aware that a portion of the garage appears to encroach onto the property to the south. However, since it was constructed when the property was located in the County, the setback is legal non-conforming.
6. The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified:	As noted above, the applicant is proposing to reconstruct a retaining wall measuring between 5 feet and 8 feet in height. The adjacent property is common area owned by the Chapel Valley Homeowners Association. An access easement has been granted by the homeowners association for the proposed retaining wall reconstruction.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:

Comprehensive Plan Conformance – Core Values Chapters

	A Balanced Pattern of Growth
	N/A
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1D	Coordinated Land Use and Transportation Planning: The property has access to Powderhorn Circle by an access easement across the properties to the east.
	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Major Amendment to a Planned Development requires that public notice be advertized in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Final Planned Development Overlay application is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter

Future Land Use Plan	Low Density Neighborhood
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Designation(s):	
Design Standards:	
N/A	The property is zoned Low Density Residential District and a single-family dwelling is identified as a permitted use. The applicant is proposing to reconstruct a failing retaining wall.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Sheridan Lake Road
Neighborhood Goal/Policy:	
N/A	The property is located in Chapel Valley an established residential neighborhood in the City.

Findings	
<p>Staff has reviewed the Major Amendment to a Planned Development to reduce the setbacks to a retaining wall pursuant to Chapter 17.50.050(F)5 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The applicant is requesting Exceptions to reduce the side and rear yard setbacks to a retaining wall in order to fix an existing failing retaining wall. The applicant is not proposing to expand the existing structures located on the property. An access easement has been granted by the adjacent property owner for the proposed footings for the retaining wall.</p>	

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Major Amendment to a Planned Development to reduce the setbacks for a retaining wall be approved with the following stipulations:	
1.	An Exception is hereby granted to reduce the minimum required side yard setback for a retaining wall from 8 feet to 2.7 feet;
2.	An Exception is hereby granted to reduce the minimum required rear yard setback for a retaining wall from 25 feet to 6 feet;
3.	Upon submittal of a Building Permit, engineer stamped structural design plans shall be submitted for review and approval; and,
4.	The Major Amendment to a Planned Development Overlay shall allow for a single-family dwelling. Permitted uses within the Low Density Residential District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Planned Development.



Rapid City Community Planning & Development Services

Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*

Applicant Request(s)	
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Companion Case(s) #	N/A
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met or an Exception shall be obtained;
3.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned Development or a subsequent Major Amendment;
4.	All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
5.	All requirements of the currently adopted Building Code shall be met;
6.	All applicable provisions of the adopted International Fire Code shall continually be met;