

STAFF REPORT
April 21, 2005

No. 05PD022 - Major Amendment to an Initial Planned Residential Development and a Final Planned Residential Development **ITEM 29**

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Hagg Development Corporation
REQUEST	No. 05PD022 - Major Amendment to an Initial Planned Residential Development and a Final Planned Residential Development
EXISTING LEGAL DESCRIPTION	Parcel A of Tract SB of Springbrook Acres Addition, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1-17 and Lot A of Tuscany At The Cliffs Subdivision and dedicated right-of-way, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 14.92 acres
LOCATION	South of Sandstone Ridge Apartments and east of Holiday Estates
EXISTING ZONING	Low Density Residential II District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Park Forest District
East:	Park Forest District
West:	Medium Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/24/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominick

RECOMMENDATION:

Staff recommends that the Major Amendment to an Initial Planned Residential Development and a Final Planned Residential Development 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;
2. A minimum 18 foot front yard setback shall be provided in front of each garage and a

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- minimum 15 foot front yard setback shall be provided in front of each residence. All other provisions of the Low Density Residential District shall be met unless exceptions have been specifically authorized;
3. All of the residences shall be sprinklered and the highest floor elevation shall not exceed 3,680 feet;
 4. All International Fire Codes shall be continually met;
 5. The proposed single family and townhome residences shall conform architecturally to the plans, elevations and color palette submitted as part of this Major Amendment to the Initial Planned Residential Development and the Final Planned Residential Development;
 6. Prior to issuance of a building permit, a Final Plat shall be reviewed and approved for the subject property creating 17 individual lots;
 7. A maximum lot area coverage of 33% on Lot 6, 31.3% on Lot 14, 31.8% on Lot 15, 31.7% on Lot 16 and 32.3% on Lot 17 shall be allowed. In addition, a maximum lot area coverage of 30% shall be allowed on the balance of the lots;
 8. Prior to Planning Commission approval, the proposed covenants securing maintenance of the common area and the yard lights shall be recorded at the Register of Deed's Office;
 9. Prior to issuance of a Building Permit, the approved Fire Mitigation Plan shall be implemented;
 10. An Exception is hereby granted by Fire Department staff to allow a maximum 11.8% street grade in lieu of a 10% street grade as per the International Fire Code;
 11. The yard lights shall be constructed in compliance with the elevations submitted with this Major Amendment to the Initial Planned Residential Development and the Final Planned Residential Development;
 12. All signage shall comply with Section 15.28 of the Rapid City Municipal Code;
 13. An Air Quality Permit shall be obtained prior to any disturbance of any soils in excess of one acre;
 14. Any retaining walls in excess of four feet in height shall be designed by a Professional Engineer; and,
 15. The Planned Residential Development shall allow for the construction of a single family residence on proposed Lot 9 and townhome residence(s) on the balance of the proposed lots. However, the Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for two years.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to an Initial Planned Residential Development and a Final Planned Residential Development to allow 16 townhome lots with one single family residential lot on the subject property. In addition, the applicant has submitted a Preliminary Plat to subdivide the subject property into 17 residential lots and to create a 9.92 acre common area. (See companion item #05PL057.)

On April 4, 2004, the Planning Commission approved an Initial Planned Residential Development to allow 19 townhome lots and one single family residential lot on the subject property.

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The property is located at the eastern terminus of Holiday Lane and is currently void of any structural development. The proposed residential development is to be known as "Tuscany at the Cliffs".

STAFF REVIEW:

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

Design Features: The applicant has indicated that the proposed single family residence and the townhome residences will be constructed with a combination of stone, wood, glass, brick, drivet and simulated siding. In addition, the residences are proposed to be one and two story structures with attached garages and a contiguous pitched roof. The applicant has also indicated that the exterior of the structures will be earth tone in color consistent with the "Tuscan/Mediterranean" style. Staff is recommending that the residences conform architecturally to the plans, elevations and color palette submitted as part of this Planned Residential Development.

Setbacks: The applicant's site plan identifies that an 18 foot front yard setback is being proposed. In addition, a minimum eight foot side yard setback for one story residence(s), a minimum 12 foot side yard setback for two story residence(s) and a minimum 25 foot rear yard setback are being provided. The Low Density Residential District II 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. As such, staff is recommending that the proposed front yard setback be allowed as proposed with the stipulation that a minimum 18 foot front yard setback be provided in front of each garage. In addition, staff is recommending that a minimum 15 foot front yard setback be provided in front of each residence. In addition, all provisions of the Low Density Residential II District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Initial Planned Residential Development and the Final Planned Residential Development or a subsequent Major Amendment.

Fire Department: The subject property is located within the Southwest Pressure Zone System service boundary. However, the Southwest Pressure Zone System is currently at maximum capacity requiring off-site improvements in order to extend the capacity. Staff has noted that it may be two years or longer before the improvements are complete. As such, the applicant has requested that the Lower Pressure Zone System serve the subject property in the interim. The Fire Department has indicated that the Lower Pressure Zone System may serve the subject property contingent upon the applicant demonstrating that a minimum water supply of 600 gpm is being provided at each residence. The applicant has subsequently demonstrated that 650 gpm is being provided at each residence. The Fire Department has indicated all of the residences must be sprinklered and the highest floor elevation must not exceed 3,680 feet.

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The Fire Department has indicated that the subject property is located within a high wild fire hazard area. In addition, the Fire Department has indicated that a Fire Mitigation Plan has been submitted by the applicant and, subsequently, reviewed and approved by the Fire Department. Staff is recommending that the Fire Mitigation Plan be implemented prior to issuance of a building permit.

The Fire Department has also indicated that an 11.8% street grade was reviewed and approved as a part of the Initial Planned Residential Development review. However, the City has recently adopted the International Fire Code which limits the street grade from the previously allowed 12% to 10%. As such, the applicant has requested an Exception to allow the 11.8% grade. The Fire Department has indicated that the Exception is supported since the Initial Planned Residential Development was approved before adoption of the International Fire Code. As such, Fire Department staff is recommending that the Exception be granted as requested.

Lot Area Coverage: Chapter 17.10.050 states that a maximum lot area coverage of 30% is allowed in the Low Density Residential II District. The applicant has indicated that due to topographic constraints, the maximum lot area coverage on five of the lots will exceed 30%. In particular, a lot area coverage of 33% on Lot 6, 31.3% on Lot 14, 31.8% on Lot 15, 31.7% on Lot 16 and 32.3% on Lot 17 is being proposed. Staff has noted that no structural development is being proposed on a 9.92 acre lot that will serve as a "common area". As such, the overall lot area coverage of the proposed development does not exceed 30%. Staff is recommending that a maximum lot area coverage in excess of 30% be allowed on the five lots as requested.

Yard Lights: The applicant has indicated that in addition to street light, individual yard lights will be installed on each individual lot. The applicant has submitted a copy of the Covenants for the proposed development identifying maintenance of the yard lights. Staff is recommending that prior to Planning Commission approval, the proposed covenants be recorded at the Register of Deed's Office.

Signage: The applicant's site plan shows two 12 foot by six foot illuminated signs to be located at the entrance of the development, one on either side of Holiday Lane. Staff is recommending that all signage comply with Chapter 15.28 of the Rapid City Municipal Code.

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 April 21, 2005 Planning Commission meeting if these requirements have not been met.