

STAFF REPORT  
August 24, 2006

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**No. 06PD031 - Planned Residential Development - Initial Development Plan**      **ITEM 33**

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+GENERAL INFORMATION:

PETITIONER	Wyss Associates, Inc. for WEB Land Holdings, LLC
REQUEST	<b>No. 06PD031 - Planned Residential Development - Initial Development Plan</b>
EXISTING LEGAL DESCRIPTION	An unplatted Tract of land located in the NW¼ of SE¼ of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota described as follows; beginning at the SW corner of the NW¼ of SE¼ of Section 11, T1N, R7E, BHM. Travel 697.60 feet at a bearing of N00°16'55"E to a point, then Travel 427.77 feet at a bearing of N55°15'47"E to a point, then Travel 536.64 feet at a bearing of S65°58'10"E to a point, then Travel 722.17 feet at a bearing of S to a point, then Travel 845.09 feet at a bearing of S89°57'25"W to the origin. Parcel described contains 696815.78 square feet or approximately 16 acres
PARCEL ACREAGE	Approximately 16 acres
LOCATION	Northeast terminus of Pevans Parkway
EXISTING ZONING	Low Density Residential II District (Planned Residential Development) - Office Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Commercial Development) - Park Forest District
South:	General Agriculture District - Low Density Residential District (Planned Residential Development)
East:	Office Commercial District (Planned Commercial Development)
West:	Park Forest District - General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/5/2006
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial Development Plan be

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approved with the following stipulations:

1. A Final Plat shall be approved prior to or in conjunction with a Final Planned Residential Development;
2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. Upon submittal of a Final Residential Development Plan application, a sign package shall be submitted for review and approval;
4. Upon submittal of a Final Residential Development Plan application, a lighting package shall be submitted for review and approval;
5. Upon submittal of a Final Residential Development Plan application, a landscaping plan shall be submitted for review and approval;
6. Upon submittal of a Final Residential Development Plan application, elevations of the proposed residences shall be submitted for review and approval. In addition, a list of building materials and color palette shall be submitted for review and approval;
7. Upon submittal of a Final Residential Development Plan application, a grading and geotechnical report shall be submitted for review and approval. In particular, the geotechnical report shall address slope stability and provide recommendations for construction procedures and measures to mitigate any potential slides;
8. The International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In particular, on-site fire hydrants shall be provided as needed and all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;
9. Prior to issuance of a building permit, the property owner shall submit the proposed driveway grade for review and approval. If the proposed driveway grade exceeds 16%, the dwelling unit shall be sprinklered. In addition, a residential style fire apparatus turnaround shall be provided on any lot with a driveway in excess of 150 feet;
10. An Exception to the Street Design Criteria Manual is hereby granted to allow a 1,550 foot long cul-de-sac, with no intermediate turnarounds, in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet with the stipulation that a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented prior to submittal of a Final Residential Development Plan application;
11. All provisions of the underlying zoning designation(s) shall be met unless otherwise specifically authorized as a stipulation of the Final Residential Development Plan application or a subsequent Major Amendment; and,
12. The Planned Residential Development shall allow for the construction of three single family residences on the property. 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:

**(Update, August 13, 2006. All revised and/or added text is shown in bold print.) This item was continued at the August 10, 2006 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been**

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**revised.**

(Update, July 27, 2006. All revised and/or added text is shown in bold print.) This item was continued at the July 27, 2006 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been revised.

(Update, July 14, 2006. All revised and/or added text is shown in bold print.) This item was continued at the July 6, 2006 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been revised.

(Update, June 23, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 22, 2006 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been revised.

(Update, June 9, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 8, 2006 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been revised.

The applicant has also submitted an Initial Planned Residential Development to allow three single family residences to be constructed on the subject property. In addition, the applicant has also submitted an Initial Planned Commercial Development to allow four condominium towers to be constructed on property located directly east of the subject property. The applicant has also submitted a Layout Plat to subdivide the parcel(s) into five lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along a portion of Fairmont Boulevard and to waive the requirement to install curb, gutter, sidewalk, street light conduit and to reduce right-of-way width from 52 feet to 49 feet and to reduce pavement width from 27 feet to 24 feet along Pevans Parkway as they abut the subject property. (See companion items #06PD030, 06PL074 and 06SV030.)

In April, 2004, the City Council approved three separate Layout Plats to subdivide the subject property into 38 townhome lots, seven single family residential lots and two commercial lots. In October, 2004, the City Council approved an Initial Planned Residential Development and an Initial Planned Commercial Development to allow a townhome and single family residential development on the west half of the property and to allow a combination of professional offices, apartment complexes and two restaurant pads to be constructed on the east half of the property.

In July, 2004, the City Council also approved a Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk, street light conduit, water, sewer and pavement along a portion of Fairmont Boulevard with the following stipulations:

- Upon submittal of the Preliminary Plat, road construction plans shall be submitted identifying the construction of the north 200 feet of the north-south leg of Fairmont Boulevard with curb, gutter, sidewalk, street light conduit, water, sewer and pavement;
- Upon submittal of the Final Plat application, the plat document shall provide a

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- minimum 80 foot wide right-of-way for all of Fairmont Boulevard; and,
- Prior to submittal of the Final Plat submittal, the applicant shall sign a waiver of right to protest any future assessments for pavement and sidewalk improvements along the southern 300 feet of Fairmont Boulevard as it abuts the subject property.

The applicant is now proposing to develop the property differently than previously reviewed and approved. As such, the applicant has submitted the applications as identified above.

The property is located at the eastern terminus of Pevans Parkway. Currently, the property is void of any structural development.

**STAFF REVIEW:**

Staff has reviewed the Initial Residential Development Plan and has noted the following considerations:

**Zoning:** The subject property is currently zoned Office Commercial District with a Planned Development Designation and Low Density Residential District II with a Planned Development Designation. As indicated above, the applicant is proposing to construct three single family residences on the property. In addition, a large portion of each lot is identified as a “no build easement area”. The proposed use(s) are permitted in both the Office Commercial District and the Low Density Residential District. Staff is recommending that all provisions of the underlying zoning designation(s) be met unless otherwise specifically authorized as a stipulation of the Final Residential Development Plan application or a subsequent Major Amendment.

**Design Features:** The Initial Residential Development Plan identifies the building footprint of the proposed single family residences. Upon submittal of a Final Planned Residential Development, structural elevations and a list of the building materials for the proposed structures must be submitted for review and approval.

**Lighting/Signage/Landscaping:** Upon submittal of a Final Residential Development Plan, a lighting and signage package as well as a landscaping plan must be submitted for review and approval. In particular, any lighting other than standard street lights must be identified. In addition, any signage including a residential development sign must be identified.

**Geotechnical Information:** Portions of the subject property are characterized with severe slopes. As such, staff is recommending that upon submittal of a Final Planned Residential Development, a geotechnical report be submitted for review and approval. In particular, the geotechnical report must address slope stability and provide recommendations for construction procedures and measures to mitigate any potential slides.

**Fire Department:** The Fire Department has indicated that prior to issuance of a building permit, the property owner must submit the proposed driveway grade for review and approval. If the proposed driveway grade exceeds 16%, the dwelling unit must be sprinklered. The Fire Department has also indicated that a residential style fire apparatus turnaround must be provided on any lot with a driveway in excess of 150 feet.

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Pevans Parkway: Pevans Parkway is an approximate 1,570 foot long cul-de-sac street. The Street Design Criteria Manual states that in moderate, high or extreme fire hazard areas, cul-de-sacs shall not exceed 500 feet in length. In addition, intermediate turnarounds must be provided every 600 feet. The Fire Department has indicated that the property is located within a moderate to high fire hazard area. As such, the applicant has requested an Exception to allow a cul-de-sac in excess of 500 feet and to waive the requirement to provide intermediate turnarounds. The Fire Department has indicated that existing driveways and street intersections will serve as intermediate turnarounds. As such, staff is recommending that an Exception be granted to the Street Design Criteria Manual to allow a 1,570 foot long cul-de-sac with no intermediate turnarounds in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet with the stipulation that a Wild Fire Mitigation Plan be submitted for review and approval and that the plan be implemented prior to submittal of a Final Residential Development Plan application.

Platting: As previously indicated, a Layout Plat has been submitted to create five lots, including the subject property. Staff is recommending that a Final Plat be approved prior to issuance of a building permit to insure that the subdivision improvement issues have been addressed.

Notification Requirement: The receipts from the certified mailings have been returned and the sign has been posted on the property. Staff has received several calls of inquiry regarding this item.