

STAFF REPORT
December 6, 2007

**No. 07PD085 - Planned Residential Development - Initial and Final
Development Plan**

ITEM 34

GENERAL INFORMATION:

APPLICANT	Land and Marine Development, Inc.
AGENT	Jared Tordsen
PROPERTY OWNER	Land & Marine Developmnets, Inc.
REQUEST	No. 07PD085 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 1 thru 7, 22, 31 and 32, Rockinon Ranch Estates, located in the N1/2 NE1/4 SE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.0663 acres
LOCATION	East of Bunker Drive along Abbey Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)
South:	Low Density Residential District
East:	Public District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	10/12/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial and Final Development Plan be approved with the following stipulations:

- 1. Prior to Planning Commission approval, the applicant shall submit a site plan demonstrating that the proposed driveways do not encroach into the non-access easements or the non-access easements shall be vacated as needed and an Exception shall be obtained to reduce the separation between an intersection and a driveway. In addition, the site plan shall be revised to clarify that one driveway is proposed to Lot 7 or an Exception shall be obtained to allow two driveways to a residential lot;**
- 2. A building permit shall be obtained prior to any construction and a Certificate of**

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- Occupancy shall be obtained prior to occupancy;
3. The signage shall conform architecturally to the plans, elevations and color palette submitted as part of this Planned Residential Development. In addition, the signage is limited to identifying the proposed name of the development with no other advertising allowed. A sign permit shall also be obtained for each sign demonstrating that the sign is located outside of any sight triangles and outside of the public right(s)-of-way;
 4. A minimum 18 foot front yard setback shall be provided for corner Lots 7, 22, 31 & along Lennon Lane. In addition, a minimum 25 foot side yard setback along Joplin Lane and Hendrix Lane, as labeled on the applicant's site plan, shall be provided. A side yard setback along interior side lot lines of eight feet for a one story structure and twelve feet for a two story structure shall be provided. In addition, a minimum 25 foot rear yard setback shall be provided;
 5. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment;
 6. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Initial and Final Planned Residential Development; and,
 7. The Planned Residential Development shall allow for the construction of single family residence(s). 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 a period of two years. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Residential Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted.

GENERAL COMMENTS:

(Update November 27, 2007. All revised text is shown in bold.)

The applicant has submitted a revised site plan for Lots 7, 22, 31 & 32 showing the driveway locations to the lot(s). However, all of the driveways are located within the previously dedicated non-access easements. In addition, it is not clear if two driveways are proposed to Lot 7. As such, staff is recommending that prior to Planning Commission approval, the applicant submit a site plan demonstrating that the proposed driveways do not encroach into the non-access easements or the non-access easements must be vacated as needed and an Exception must be obtained to reduce the separation between an intersection and a driveway. In addition, the site plan must be revised to clarify that one driveway is proposed to Lot 7 or an Exception must be obtained to allow two driveways to a residential lot.

The applicant is requesting the reduction in the minimal front yard setback from 25 feet to 18 feet for Lots 7, 22, 31, & 32 as they abut Lennon Lane. Staff has noted that the lots are all corner lots, meeting the minimum lot size requirement of 6,500 square feet in the

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Low Density Residential Zoning District. The Low Density Residential District requires a minimum 25 foot front yard setback. 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 recommends that the front yard setback for Lots 7, 22, 31 & 32 be reduced to 18 feet along Lennon Lane. In addition, a minimum 25 foot side yard setback along Joplin Lane and Hendrix Lane, as labeled on the applicant's site plan, must be provided.

On November 21, 2007 the associated Vacation of Non-Access Easements were denied without prejudice by the Planning Commission at the applicant's request.

(Update November 14, 2007. All revised text is shown in bold.) As of this writing, staff has not received the additional information required for consideration of the associated Vacation of Non-Access Easements. Staff is recommending that the related Vacation of Non-Access Easements be continued to the December 6, 2007 Planning Commission meeting. Staff is recommending that this related request also be continued to the December 6, 2007 Planning Commission meeting.

The applicant has submitted a Planned Residential Development- Initial and Final Development Plan. The property is Lots 1 thru 7, 22, 31 and 32 of Rockinon Ranch Estates. The property was platted (#07PL007) on January 24, 2007. The property is currently void of any structural development. The applicant is proposing several single family housing designs. The applicant is requesting a reduced front yard setback for Lots 7, 22, 31, and 32. The applicant has filed a Road Name Change (#07RD005) request to change Abbey Road to Lennon Lane in conjunction with this request. The property is currently zoned Low Density Residential.

STAFF REVIEW:

Staff has reviewed the applicant's Planned Residential Development- Initial and Final Development Plan request and noted the following considerations:

SINGLE FAMILY RESIDENCES:

The applicant is proposing to build a variety of single family home designs within the Planned Residential Development. The applicant has submitted photos of one and two story homes all with attached garages. The exterior treatment of the proposed homes includes a variety of materials including brick, vinyl siding, hardy plank, and wood siding. Proposed colors include natural earth tones and light pastels. Architectural styles include ranch, Cape Cod, and traditional types of single family dwellings. Staff has noted that square footage of the proposed structures ranges from 1800 square feet to 2000 square feet.

SIGNAGE:

The applicant has submitted a proposed sign to be placed at the entrance of the subdivision along Bunker Drive. The proposed sign displays the subdivision name along with other advertising for construction, banking, and mortgage companies. This proposed sign is classified as a construction sign. Section 15.28.080 allows a construction sign with a maximum square

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footage of 32 square feet. The applicant's proposed construction sign measures 40 square feet in area. The applicant is required to obtain a variance for the proposed sign, or resubmit a sign that meets the standards of Section 15.28.080. In addition the sign shall be removed after the subdivision is built out.

SETBACKS:

The applicant is requesting a reduced front yard setback of 18 feet from the required 25 feet along Lots 7, 22, 31, & 32. The applicant has submitted a series of Vacation of Non-Access Easement requests along with this request. Including #07VE039 for Lot 7, #07VE040 for Lot 22, #07VE041 for Lot 31, and #07VE042 for Lot 32. On October 29, 2007 the applicant met with staff to discuss concerns in regards to the potential negative impacts associated with vacating portions of the Non-Access Easements. The applicant has agreed to revise the Vacation of Non-Access exhibits and resubmit these documents. The reduction in front yard setback request is directly associated with the Vacation of Non-Access Easement requests. As such staff recommends that this item be continued to allow the Planned Residential Development-Initial and Final request to be heard in conjunction with the associated Vacation of Non-Access Easement requests.