

STAFF REPORT

June 5, 2008

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**No. 08PD023 - Planned Residential Development - Initial and Final ITEM 29  
Development Plan**

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GENERAL INFORMATION:

APPLICANT	Larry Petters and Tom and Erika Herd
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Joseph Nyquist
REQUEST	<b>No. 08PD023 - Planned Residential Development - Initial and Final Development Plan</b>
EXISTING LEGAL DESCRIPTION	Lot 12 and Lots 13A and 13B of Lot 13, all in Block 3 of Gemstone Subdivision, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.52 acres
LOCATION	Northwest of the intersection of Shelby Avenue and Sandra Lane
EXISTING ZONING	Low Density Residential II District
SURROUNDING ZONING	
North:	Low Density Residential II District
South:	Medium Density Residential District (Planned Residential Development)
East:	Low Density Residential II District
West:	Low Density Residential II District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	5/8/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

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

1. A minimum 18 foot front yard setback shall be provided in front of each residence;
2. All provisions of the Low Density Residential II District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Residential Development or a subsequent Major Amendment;
3. The proposed structures shall conform architecturally to the plans and elevations

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submitted;

4. All International Fire Codes shall be continually met;
5. All driveways shall be constructed as per Section 8.2.7 and Figure 8-5 of the Street Design Criteria Manual; and,
6. The Planned Residential Development shall allow for the construction of four townhome units on the property. Any change in use shall require a Major Amendment. In addition, the Planned Residential Development shall expire if the use is not undertaken 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.

GENERAL COMMENTS: The property is located northwest of the intersection of Shelby Avenue and Sandra Lane. Four townhome units are located on the property but do not meet the minimum front yard setback requirement of 25 feet in the Low Density Residential II District.

On August 3, 2007, as a result of an error in reviewing the plans a building permit was issued in error for Lots 13A and 13B of Lot 13 and on September 4, 2007, a building permit was issued in error for Lot 12.

On April 15, 2008, the Zoning Board of Adjustment denied a Variance request (Appeal No. 5456) to reduce the front yard setback from 25 feet to 18 feet on Lot 12 and suggested the applicant proceed with the Planned Residential Development process.

The applicant is now requesting a reduction in the front yard setback of 18 feet to the residence.

STAFF REVIEW: Staff has reviewed the Planned Residential Development and has noted the following issues:

Setbacks: The applicant's site plan identifies that an 18 foot front yard setback in front of the residence is being proposed.

The Low Density Residential II District requires a minimum 25 foot front yard setback along all street frontages. 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 front yard setback be allowed as proposed with the stipulation that a minimum 18 foot front yard setback be provided in front of each residence.

Design features: Structures must be constructed of wood and concrete in earth tone colors with stone and/or brick accents. The roofs must be asphalt, tile or concrete shingles in earth tone colors.

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

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Commission at the June 5, 2008 Planning Commission meeting if these requirements have not been met.

Staff is recommending that the Planned Residential Development – Initial and Final Development Plan be approved with the stipulations as indicated above.