

STAFF REPORT

June 5, 2008

---

**No. 08PD024 - Major Amendment to a Planned Residential Development**      **ITEM 30**

---

GENERAL INFORMATION:

APPLICANT/AGENT	Toby Karn for Century Development Co.
PROPERTY OWNER	Century Development
REQUEST	<b>No. 08PD024 - Major Amendment to a Planned Residential Development</b>
EXISTING LEGAL DESCRIPTION	The north 327.2 feet of the N1/2 of the SE1/4 of Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; excepting therefrom the W1/2 NW1/4 SE1/4; and excepting therefrom Lot 1 of Lot B of the NE1/4 SE1/4, as shown on the plat filed in Plat Book 3, Page 103; and excepting therefrom North Boulevard Addition; and excepting therefrom Lot RU-302A of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 14, Page 53; and excepting therefrom Lot RU-302B of the Original Townsite of Rapid City, Pennington County, South Dakota as shown on the plat filed in Plat Book 14, Page 94; and excepting therefrom any streets or highway rights of way, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.232 acres
LOCATION	South of East Philadelphia Street between Founders Park Drive and North 11 <sup>th</sup> Street
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	Park Forest District
South:	Flood Hazard District
East:	Medium Density Residential District
West:	Office Commercial District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	5/21/2008
REVIEWED BY	Marcia Elkins

## STAFF REPORT

June 5, 2008

---

### No. 08PD024 - Major Amendment to a Planned Residential Development ITEM 30

---

#### RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development be approved with the following stipulations:

1. The off-street parking requirements for the clubhouse are reduced from 24 spaces to 12 spaces as granted by the Rapid City Planning Commission on October 4, 2007. In addition, the City Council approval of an exception reducing the on-street visitor parking spaces from 49 spaces to 37 spaces is hereby acknowledged. The site plan shall also continue to show 98 guest parking spaces within the driveways of the townhome lots and the proposed 12 off-street parking spaces for the clubhouse.
2. The mail boxes shall be located and constructed in accordance with the approved plan;
3. All guest parking within LaVilla Vista Place is prohibited in accordance with the covenant agreements approved as part of the original Final Planned Development Plan;
4. The private streets and the gates within the development shall be maintained in accordance with the covenant agreements approved as part of the original Final Planned Development Plan;
5. The approach along Founders Park Drive shall be posted as an "Exit Only" approach in order to prevent stacking and backing of the vehicles into the Founders Park Drive right-of-way;
6. The fence shall conform architecturally to the proposed elevations, color palette and design plans submitted as part of this Initial and Final Planned Residential Development;
7. Prior to issuance of a Certificate of Occupancy, the right-of-way and/or an H Lot for Philadelphia Street shall be recorded at the Register of Deed's Office to insure legal access to the site;
8. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved and recorded;
9. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
10. The landscaping shall comply with the approved plan and shall be continually maintained in a live vegetative state and replaced as necessary;
11. All streets and turnarounds shall be designed and constructed in compliance with the Street Design Criteria Manual and the currently adopted International Fire Code. Street signs and lot addresses shall be posted prior to or in conjunction with any building construction. The currently adopted International Fire Code shall be continually met;
12. The previous action of the Planning Commission reducing the rear yard setback from 25 feet to 14.5 for the deck on the clubhouse is hereby acknowledged;
13. The previous action of the Planning Commission allowing the parking spaces for the clubhouse to back into the adjacent LaVilla Vista access easement is hereby acknowledged;
14. All signage shall conform architecturally to the plans and elevations and color palette submitted and approved as part of this Planned Residential Development; however, minor changes may be authorized by the Growth Management Director when they are consistent with the revised architectural style of the development as approved herein. The lighting for the sign shall be designed to preclude reflection on the adjacent properties and/or streets. A sign permit shall be obtained prior to installation;
15. The street lights shall conform architecturally to the plans and elevations and color

## STAFF REPORT

June 5, 2008

---

### No. 08PD024 - Major Amendment to a Planned Residential Development      ITEM 30

---

palette submitted as part of this Planned Residential Development; however, minor changes may be authorized by the Growth Management Director when they are consistent with the revised architectural style of the development as approved herein. In addition, street lights shall be continually be maintained.

16. The proposed structures shall conform architecturally to the revised elevations, design plans and color palette submitted as part this Major Amendment; however, minor changes may be authorized by the Growth Management Director when they are consistent with the revised architectural style of the development as approved herein. Prior to approval of a revised building permit, revised stamped drawings from the architect of record must be submitted;
17. All other provisions of the Zoning Ordinance shall be met unless otherwise specifically authorized as a part of this Initial and Final Residential Development Plan or as a Major Amendment to the Planned Residential Development; and,
18. The Planned Residential Development shall allow for the construction of a 49 unit townhome development and a clubhouse. The clubhouse shall be used exclusively by the tenants of the townhome development and their guests.

**GENERAL COMMENTS:** The applicant has submitted this Major Amendment to the Planned Residential Development in order to seek approval of a revised architectural style for the development previously known as La Villa Vista. No other changes in the originally approved Planned Residential Development Plan have been proposed at this time.

The Initial and Final Planned Residential Development (07PD047) was approved on October 4, 2007 and authorized a 49 unit townhome development and clubhouse lying north of the Executive Golf Course. The approval was granted with the following stipulations:

1. An Exception is hereby granted to reduce the off-street parking requirements for the clubhouse from 24 spaces to 12 spaces. In addition, an Exception shall be obtained from the City Council to reduce the on-street visitor parking spaces from 49 spaces to 37 spaces if that is the parking requirement not being met. The site plan shall also continue to show 98 guest parking spaces within the driveways of the townhome lots and the proposed 12 off-street parking spaces for the clubhouse;
2. Prior to Planning Commission approval, the applicant shall submit a site plan showing the location and the design of mailboxes. In particular, the mailboxes shall be located to allow access in compliance with the United States Postal Service requirements;
3. Prior to Planning Commission approval, Section 9 of the draft covenant agreement shall be revised to prohibit guest parking within LaVilla Vista Place since the street is not designed with an adequate width to provide any on-street parking;
4. Prior to Planning Commission approval, the covenant agreement shall be revised to provide the mechanism for maintenance of the private street(s) and the gates. In addition, prior to issuance of a Building Permit, the covenant agreement shall be recorded at the Register of Deed's Office and

## STAFF REPORT

June 5, 2008

---

### No. 08PD024 - Major Amendment to a Planned Residential Development ITEM 30

---

- a copy of the recorded document shall be submitted to the Growth Management Department;
5. The approach along Founders Park Drive shall be posted as an "exit" only approach in order to prevent stacking and backing of vehicles into the Founders Park Drive right-of-way;
  6. The fence shall conform architecturally to the proposed elevations, color palette and design plans submitted as part of this Initial and Final Planned Residential Development;
  7. Prior to issuance of a Certificate of Occupancy, the right-of-way and/or an H Lot for Philadelphia Street shall be recorded at the Register of Deed's Office to insure legal access to the site;
  8. Prior to issuance of a building permit, a Preliminary Plat shall be reviewed and approved by the City Council. In addition, prior to issuance of a Certificate of Occupancy a Final Plat shall be approved and recorded;
  9. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
  10. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Growth Management Department;
  11. Prior to issuance of a building permit, design calculations and details for retaining walls in excess of four feet high shall be submitted for review and approval. In addition, the plans shall be sealed and signed by a Professional Engineer;
  12. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
  13. All streets and turnarounds shall be designed and constructed in compliance with the Street Design Criteria Manual and the currently adopted International Fire Code. Street signs and lot addresses shall also be posted prior to or in conjunction with any building construction. The currently adopted International Fire Code shall be continually met;
  14. The rear yard setback is hereby reduced from 25 feet to 14.5 feet for the deck on the clubhouse;
  15. The parking spaces for the clubhouse are hereby allowed to back into the adjacent LaVilla Vista access easement;
  16. The signage shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Residential Development. In addition, the lighting for the sign shall be designed to preclude reflection on the adjacent properties and/or streets. A sign permit shall also be obtained;
  17. The street lights shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Residential Development. In addition, the applicant shall provide continual maintenance of the street lights;
  18. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Final

## STAFF REPORT

June 5, 2008

---

### No. 08PD024 - Major Amendment to a Planned Residential Development ITEM 30

---

- Planned Residential Development;
19. All other provisions of the Zoning Ordinance shall be met unless otherwise specifically authorized as a part of this Initial and Final Residential Development Plan or as a Major Amendment to the Planned Residential Development; and,
  20. The Planned Residential Development shall allow for the construction of a 49 townhome development and a clubhouse. The clubhouse shall be used exclusively by the tenants of the townhome development and their guests. 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 Commercial 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.

Construction of the first townhome units has been started; however, the exterior finishes have not yet been installed. The streets and other infrastructure are nearly complete.

#### STAFF REVIEW:

The original plan proposed an Italian architectural style for the development. However, based on the construction of the adjacent Founders Park project, the applicant is now proposing to revise the architectural finishes to reflect a more consistent style reflective of the Black Hills and the adjacent development.

Many of the architectural features, colors and materials will remain the same. All of the cultured stone veneer will feature river rock. Eight inch lapped cement board siding in earth tones will replace the EIFS areas shown on the previous plans with timber accents installed. All timber accents will be 2" by 6" flat or 5" by 6" beams with larger 10" by 10" beams on the peak and gable ends. Additional beam accents will be installed above the square and rectangular windows and patio doors. The hand railings will have large timber posts. Shingles will be 50 year three dimensional "weathered wood" asphalt shingles. The shutters previously proposed have been removed from the plan. All garage openings will be trimmed with cedar and the decks will be cedar wrapped. No change in the roof lines is proposed.

While no additional changes to the signage or street lights has been proposed at this time, staff is recommending that the stipulations of approval allow the Growth Management Director to approve minor changes in those elements when consistent with the revised architectural style. This will allow the applicant to integrate those elements with the architectural design without seeking an additional Major Amendment and will assist in developing a more integrated design throughout the project.

It should be noted that the building permits have been issued based on the submission of

STAFF REPORT  
June 5, 2008

---

**No. 08PD024 – Major Amendment to a Planned Residential Development**      **ITEM 30**

---

architecturally stamped plans. Based on statutory requirements, the proposed revisions will need to be stamped by the original architect or revised stamped plans submitted prior to issuance of a revised building permit.

As of this writing, the receipts for the certified mailing requirements have been returned. Staff will notify the Planning Commission at the June 5, 2008 Planning Commission if the sign is not posted on the property.

Staff finds that the proposed architectural revisions are more compatible with the adjacent development and the general location than those originally approved. For that reason, staff recommends that the Planning Commission approve this Major Amendment with stipulations.