

STAFF REPORT
January 22, 2009

**No. 08PD065 - Planned Residential Development - Initial and Final ITEM 15
Development Plan**

GENERAL INFORMATION:

APPLICANT	Roy Burr
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Arlene Ham
REQUEST	No. 08PD065 - Planned Residential Development - Initial and Final Development Plan

EXISTING
LEGAL DESCRIPTION

A portion of the NW1/4 of the SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northwesterly corner of Lot 7 of Block 2 of The Villaggio at Golden Eagle, common to a point on the southerly boundary of Lot 1R of Tract B of Springbrook Acres, intersecting a 1/64 section line of Section 22, and the Point of Beginning; Thence, first course: N85°57'22"E, along the northerly boundary of said Lot 7 of Block 2 of the Villaggio at Golden Eagle, common with the southerly boundary of said Lot 1R of Tract B of Springbrook Acres, a distance of 69.01 feet, to an angle point on the northerly boundary of said Lot 7 of Block 2 of the Villaggio at Golden Eagle, common to the southeasterly corner of said Lot 1R of Tract B of Springbrook Acres, and common to the southwesterly corner of Lot 3 of Tract B of Springbrook Acres; Thence, second course: N85°51'30"E, along the northerly boundary of said Lot 7 of Block 2 of the Villaggio at Golden Eagle, common with the southerly boundary of said Lot 3 of Tract B of Springbrook Acres, a distance of 49.90 feet, to the northeasterly corner of said Lot 7 of Block 2 of the Villaggio at Golden Eagle, common to the northwesterly corner of the dedicated Right-of-Way of Villaggio Lane, and common to a point on the southerly boundary of said Lot 3 of Tract B of Springbrook Acres; Thence, third course: S21°32'59"E, along the easterly boundary of said Lot 7 of Block 2 of the Villaggio at Golden Eagle, common to the westerly edge of the dedicated Right-of-Way of said Villaggio Lane, a distance of 26.26 feet, to a point on the easterly boundary of said Lot 7 of Block 2 of the Villaggio at Golden Eagle, common to a point on the westerly edge of said dedicated Right-of-Way of said Villaggio Lane; Thence, fourth course: S85°54'54"W, a distance of 128.54 feet, to

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a point on the westerly boundary of said Lot 7 of Block 2 of the Villaggio at Golden Eagle, common to a point on a 1/64 section line of said Section 22; Thence, fifth course: S00°04'39"E, along the westerly boundary of said Lot 7 of Block 2, common to a 1/64 section line of said Section 22, a distance of 87.44 feet, to an interior 1/64 section corner of Section 22, common to an angle point on the westerly boundary of said Lot 7 of Block 2; Thence, sixth course: S00°08'13"E, along the westerly boundary of said Lot 7 of Block 2, common to a 1/64 section line of said Section 22, a distance of 19.96 feet, to the southwesterly corner of said Lot 7 of Block 2, common to the northwesterly corner of Lot 6 of Block 2 of The Villaggio at Golden Eagle; Thence, seventh course: S00°08'13"E, along the westerly boundary of said Lot 6 of Block 2, common to a 1/64 section line of said Section 22, a distance of 104.33 feet, to the southwesterly corner of said Lot 6 of Block 2, common to the northwesterly corner of Lot 5 of Block 2 of The Villaggio at Golden Eagle; Thence, eighth course: S00°08'13"E, along the westerly boundary of said Lot 5 of Block 2, common to a 1/64 section line of said Section 22, a distance of 95.12 feet, to the southwesterly corner of said Lot 5 of Block 2, common to an angle point on the northerly boundary of Lot 4R of Block 2 of The Villaggio at Golden Eagle; Thence, ninth course: S61°38'29"W, along the northwesterly boundary of said Lot 4R of Block 2, a distance of 200.00 feet, to the southwesterly corner of said Lot 4R of Block 2, common to the northwesterly corner of Lot 3R of Block 2 of The Villaggio at Golden Eagle; Thence, tenth course: S26°45'22"E, along the westerly boundary of said Lot 3R of Block 2, a distance of 106.66 feet, to the southwesterly corner of said Lot 3R of Block 2, common to the northwesterly corner of Lot 2R of Block 2 of The Villaggio at Golden Eagle; Thence, eleventh course: S26°45'22"E, along the westerly boundary of said Lot 2R of Block 2, a distance of 34.44 feet to a point on the westerly boundary of said Lot 2R of Block 2; Thence, twelfth course: S89°51'47"W, a distance of 237.22 feet; Thence, thirteenth course: N00°08'13"W, a distance of 441.23 feet, to a point on a 1/64 section line of said Section 22; Thence, fourteenth course: N50°09'55"E, a distance of 243.07 feet, to a point on the southerly boundary of Lot 1R of Tract B of Springbrook Acres; Thence, fifteenth course: S56°59'57"E, along the southerly boundary of said Lot 1R of Tract B of Springbrook Acres, a distance of 91.30

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feet, to an angle point on the southerly boundary of said Lot 1R of Tract B of Springbrook Acres; Thence, sixteenth course: N85°50'49"E, along the southerly boundary of said Lot 1R of Tract B of Springbrook Acres, a distance of 87.08 feet, to the northwesterly corner of Lot 7 of Block 2 of The Villaggio at Golden Eagle, common to a point on the southerly boundary of said Lot 1R of Tract B of Springbrook Acres, intersecting a 1/64 section line of said Section 22, and the Point of Beginning

PARCEL ACREAGE	Approximately 3.787
LOCATION	5617 Villaggio Lane
EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	Low Density Residential District (Planned Residential Development)
West:	Low Density Residential District - General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/16/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. A building permit shall be obtained prior to any future construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. 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;
3. The structures shall continually conform architecturally to the elevations, design plans and color palette submitted as part of this Initial and Final Planned Residential Development;
4. The currently adopted International Fire Code shall be continually met; and,
5. The Planned Residential Development shall allow for a single family residence with accessory structures on the property. Any change to the approved land use(s) or any

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increase in structural development on the property in excess of 20% will require a Major Amendment to the Planned Residential Development.

GENERAL COMMENTS:

The applicant has submitted an Initial and Final Residential Development Plan to allow a single family residence with accessory structures to be located on the property. The property is located north of Catron Boulevard and west of Golden Eagle Drive. Currently, a single family residence and two sheds are located on the property.

On December 4, 2008, the Planning Commission denied without prejudice at the applicant's request an Initial and Final Residential Development Plan (File #08PD051) to allow a single family residence with accessory structures on the property. The applicant has subsequently revised the legal description and submitted this application to include the flagpole driveway that serves as access to the single family residence. On December 15, 2008, the City Council approved a Preliminary Plat (File #08PL113) for the property to create a 3.787 acre lot which also included the flagpole driveway.

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

Future Land Use Plan: The U.S. Highway 16 Future Land Use Plan identifies the property as appropriate for a Planned Residential Development with one dwelling unit per acre. The proposed 3.787 acre lot size is in compliance with the adopted Future Land Use Plan for the property.

Existing Structures: The applicant has submitted photographs of the existing single family residence located on the property. The photographs identify a two story structure with a peaked shingled roof. In addition, the structure is shown to be constructed of wood and stucco siding and is tan in color. The existing elevations appear to be appropriate for the site.

Staff recommends that the existing single family residence and two storage sheds located on the property continue to conform architecturally to the plans, elevations and color palette submitted as part of this Planned Residential Development. Any change to the approved land use(s) or any increase in structural development on the property in excess of 20% will require a Major Amendment to the Planned Residential Development.

Fire Code: All provisions of the currently adopted International Fire Code are being met on the property. Staff recommends that the currently adopted International Fire code be continually met.

Low Density Residential District: Staff noted that the existing residence on the property is in compliance with the regulations for the Low Density Residential District. Staff recommends that all provisions of the Low Density Residential District be continually met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment.

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Building Permit: A Building Permit must be obtained prior to any future construction and a Certificate of Occupancy must be obtained prior to occupancy.

Parking: Section 17.50. 270. D. of the Rapid City Municipal Code requires two parking spaces per dwelling unit be provided for a single family residential structure. The applicant is currently meeting this requirement. A paved driveway from Villaggio Lane extends around the front of the house and provides the required off-street parking.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned. Staff will notify the Planning Commission at the January 22, 2009 Planning Commission meeting if this requirement has not been met.