

STAFF REPORT
March 5, 2009

No. 09PD003 - Major Amendment to a Planned Residential Development **ITEM 13**

GENERAL INFORMATION:

APPLICANT	Reyelts Construction, Inc.
AGENT	FourFront Design, Inc.
PROPERTY OWNER	Skyline Pines East, LLLP
REQUEST	No. 09PD003 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	<p>A parcel of land being a part of Lot B, more particularly described as follows: Commencing at a yellow plastic cap stamped "PINHOLT LS 6253" at the southeast corner of lot 1 of the southeast quarter of said Section 11, as depicted on the plat of said Lot 1, recorded in Book 34 of Plats, on page 141; thence S89°52'02"E along the north line of said Lot B a distance of 528.48 feet more or less to the east line of said Lot B; thence S00°01'01"W along said east line a distance of 609.54 feet more or less to the northerly line of the sixty foot wide tower road right-of-way; thence continuing along said northerly line, N82°01'59"W a distance of 136.64 feet to a point of curvature; thence along the arc of said curve to the right having a radius of 235.00 feet, a central angle of 32°45'53" for a distance of 134.38 feet to the point of beginning, said point monumented with a No. 5 rebar with orange plastic cap marked "4Front Nelson RLS #9049; thence along the arc of said curve to the right having a radius of 235.00 feet, a central angle of 05°13'04" for a distance of 21.40 feet to a point of tangency, monumented with a No. 5 rebar with orange plastic cap marked "4Front Nelson RLS #9049; thence along said line of tangency north 44°03'02" west a distance of 73.79 feet to a point of curvature, monumented with a No. 5 rebar with orange plastic cap marked "4Front Nelson RLS #9049; thence along the arc of a curve to the left the following three courses the termini of which are monumented with a No. 5 rebar with orange plastic cap marked "4Front Nelson RLS #9049": Radius of 430.00 feet, a central angle of 07°05'26" for a distance of 53.21 feet; Radius of 430.00 feet, a central angle of 12°29'29" for a distance of 93.75 feet; Radius of 430.00 feet, a central angle of 20°16'28" for a distance of 152.16 feet; Thence departing said northerly right-of-way</p>

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line along the following 7 courses the termini of which are monumented with a No. 5 rebar with orange plastic cap marked "4Front Nelson RLS #9049": N32°36'48"E a distance of 195.31 feet; N53°34'09"W a distance of 40.69 feet; N42°38'52"E a distance of 153.00 feet; S89 52'02"E a distance of 206.91 feet; S57°23'12"E a distance of 205.80 feet; S16°52'40"W a distance of 283.49 feet; N73°07'20"W a distance of 61.60 feet; Thence S32°36'48"W a distance of 157.57 feet more or less to the point of Beginning, containing an area of 3.8 acres more or less, located in the SW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

PARCEL ACREAGE	Approximately 3.5 acres
LOCATION	West of Mount Rushmore Road, north of Tower Road and east of Sandstone Lane
EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation)
South:	Office Commercial District (Planned Development Designation)
East:	Low Density Residential II District (Planned Development Designation)
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/6/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to Planning Commission approval, an Exception shall be obtained to allow a driveway width of 30 feet, 21.47 feet, 24 feet, 24.12 feet, 29.15 feet and 25.57 feet, respectively, in lieu of a maximum driveway width of 20 feet as per the Street Design Criteria Manual or the site plan shall be revised to comply with the Street Design Criteria Manual;

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2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. Prior to issuance of a building permit, all red line comments shall be addressed. In addition, revised construction plans shall be submitted for review and approval as needed;
4. Prior to issuance of a building permit on Lots 10 and 18, the existing H Lot for Tower Road shall be abandoned as proposed and an alternate right-of-way as per the approved construction plans for Tower Road shall be secured;
5. Prior to issuance of a Certificate of Occupancy on any of the lots, a Final Plat shall be reviewed and approved to insure that all right(s)-of-way have been dedicated;
6. An Exception is hereby granted to reduce the on-street visitor parking requirement from nine spaces to five spaces contingent upon three off-street parking spaces being provided within the parking apron located on each lot in front of each garage. In addition, the east side of Tower Court shall be posted as no-parking to insure safe ingress into the development;
7. A minimum 18 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence. In addition, a minimum 25 foot setback shall be provided along the side yard abutting a street. A minimum 25 foot setback shall be provided along the side yard abutting Tower Road. 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 also be provided. In addition, a minimum 25 foot rear yard setback shall be provided;
8. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Residential Development Plan or a subsequent Major Amendment;
9. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Major Amendment to the Residential Development Plan;
10. All streets and turnarounds shall be designed and constructed in compliance with the Street Design Criteria Manual and the currently adopted International Fire Code. In addition, fire hydrants shall be in place and operational prior to any building construction. 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;
11. The Planned Residential Development shall allow for the construction of eight townhomes and one single family residence. 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; and,
12. A one year time extension for the Planned Residential Development may be granted upon written request to the Growth Management Director if submitted prior to the Final Development Plan approval expiration date.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Residential Development Plan to reduce the required number of on-street visitor parking spaces from nine spaces to five

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spaces. On September 4, 2008, an Initial and Final Residential Development Plan (File #08PD045) was approved to allow the construction of eight townhomes and one single family residence on the property. A stipulation of approval requires that a minimum of one on-street visitor parking space per residence, or nine spaces, be provided.

On September 15, 2008, the City Council approved a Preliminary Plat (File #08PL117) to subdivide the property into eight townhome lots and one single family residential lot. To date, a Final Plat has not been submitted or approved for the property.

In 2004, a Tax Increment Financing District was approved by the City Council for the reconstruction of Tower Road and infrastructure improvements. In 2007, the City Council approved revisions to the Tax Increment Financing District (#06TI006) to reallocate the project costs.

The property is located west of Mount Rushmore Road, north of Tower Road and east of Sandstone Lane. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Residential Development Plan and has noted the following considerations:

Visitor Parking: A minimum of nine visitor parking spaces are required for the proposed development, or one visitor parking space per residence. The previously approved Initial and Final Residential Development Plan identified nine spaces along Tower Court. This in part was possible due to the narrow driveway widths on each lot. However, the applicant is now requesting Exceptions to the Street Design Criteria Manual to allow driveway widths in excess of 20 feet to accommodate the wider parking aprons in front of the three stall garages being proposed on each lot. The wider driveway widths eliminate some of the on-street parking. Subsequently, the applicant is requesting to reduce the required number of visitor parking spaces from nine spaces to five spaces.

The applicant has submitted a site plan showing five visitor parking spaces along Tower Court. In addition, the site plan shows that the parking apron located in front of each garage will accommodate parking for three cars. The applicant has requested that the parking aprons in front of each garage serve as additional visitor parking for each residence. The applicant has also indicated that the three stall garage to be located on each lot will provide parking for the occupants of the residences, leaving the parking aprons available for their guests. Even if only one of the parking spaces in front of the garage was available for a visitor, it would meet the minimum visitor parking requirements as per the Street Design Criteria Manual of one visitor parking space per residence.

It appears that the five on-street visitor parking spaces and the additional three on-site parking spaces will meet the minimum visitor parking requirements for the development. As such, staff recommends that an Exception be granted to reduce the on-street visitor parking requirement from nine spaces to five spaces contingent upon three off-street parking spaces being provided within the parking apron located on each lot in front of each garage. In

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addition, the east side of Tower Court must be posted as "No-Parking" to insure safe ingress into the development.

Tower Road: In 1933, an H Lot was recorded for Tower Road. A portion of the existing H Lot is located within the southern portion of proposed Lots 10 and 18. As a part of the associated Preliminary Plat to subdivide the property, the applicant is working with the South Dakota Department of Transportation to abandon the H Lot and to, subsequently, dedicate an alternate right-of-way for Tower Road as per the approved construction plans for the reconstruction of the street. Prior to issuance of a building permit on Lots 10 and 18, the existing H Lot for Tower Road must be abandoned as proposed and an alternate right-of-way as per the approved construction plans for Tower Road must be secured.

Design Features: The applicant submitted the same structural elevations as previously approved showing the townhomes and the single family residence as a two story structure with attached garages and a peaked shingled roof. The applicant has also indicated that the structures will be constructed with stone, stone veneer, wood pre-finished lap siding and other miscellaneous materials typically used in the construction of a stick built home. The applicant has also indicated that the structures will be primarily shades of brown and other earth tone colors. Staff is recommending that the residences conform architecturally to the design plans, elevations and color palette submitted as part of this Planned Residential Development.

Platting: As previously indicated, on September 15, 2008, the City Council approved a Preliminary Plat (File #08PL117) to subdivide the property into eight townhome lots and one single family residential lot. To date, a Final Plat has not been submitted or approved for the property. Prior to issuance of a Certificate of Occupancy, a Final Plat must be reviewed and approved to insure that all right(s)-of-way have been dedicated.

Fire Department: The Fire Department has indicated that all streets and turnarounds must be designed and constructed in compliance with the Street Design Criteria Manual and the currently adopted International Fire Code. In addition, fire hydrants must be in place and operational prior to any building construction. The Fire Department has also indicated that street signs and lot addresses must be posted prior to or in conjunction with any building construction. The currently adopted International Fire Code will need to be continually met.

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 Commission at the March 5, 2009 Planning Commission meeting if these requirements have not been met.

Staff is recommending that the Major Amendment to the Residential Development Plan be approved with the stipulations as outlined above.