

STAFF REPORT

April 8, 2010

**No. 10PD022 - Planned Residential Development - Initial and Final
Development Plan**

ITEM 35

GENERAL INFORMATION:

APPLICANT	City of Rapid City and Randy Ruthford
AGENT	Randy Ruthford for Triple R. Corporation
PROPERTY OWNER	Triple R. Corporation
REQUEST	No. 10PD022 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 9 and the north 25 feet of Lot 10 of Block 3 of Lot 3, located in the NE1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Monte Vista Subdivision located in the NE1/4 of the NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.259 acres
LOCATION	2019 and 2021 Monte Vista Drive
EXISTING ZONING	Medium Density Residential District (Canyon Lake Overlay Zoning District)
SURROUNDING ZONING	
North:	Medium Density Residential District (Canyon Lake Overlay Zoning District)
South:	Medium Density Residential District (Canyon Lake Overlay Zoning District)
East:	Medium Density Residential District (Canyon Lake Overlay Zoning District)
West:	Medium Density Residential District (Canyon Lake Overlay Zoning District)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/2/2010
REVIEWED BY	Ali DeMersseman / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial and Final Development Plan

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be approved with the following stipulations:

1. Prior to Planning Commission approval, the applicant shall submit construction plans showing the relocation of the non-conforming water service line to proposed Lot 2 or an Exception to allow a non-conforming water service line shall be obtained;
2. The front yard setback is hereby reduced from 25 feet to 19 feet for the existing townhouses. The existing townhouses shall not be expanded to encroach any further into the required setbacks, and in the event that the existing townhouses are removed, new construction on the property shall comply with all required setbacks, or a Major Amendment to the Planned Residential Development shall be obtained;
3. All provisions of the Medium Density Residential District and the Canyon Lake Overlay Zoning District must be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment;
4. The proposed structure shall conform architecturally to the proposed elevations and design plans submitted as part of this Initial and Final Planned Residential Development; and
5. The Planned Residential Development shall expire if the use has not commenced 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:

(Update, March 29, 2010. All revised and/or added text is shown in bold print.) This item was continued to the April 8, 2010 Planning Commission meeting to allow the applicant to submit construction plans showing the relocation of the non-conforming water service line to proposed Lot 2 or an obtain an Exception to allow a non-conforming water service line. The applicant submitted an Exception request to the non-conforming water service line at proposed Lot 2 on March 15, 2010. On March 17, 2010, the Exception request was denied. Subsequently, the applicant appealed the denial and the appeal will be considered by the Public Works Committee on March 30, 2010 and the City Council on April 5, 2010. As such, staff recommends that prior to Planning Commission approval, the applicant must submit construction plans showing the relocation of the non-conforming water service line to proposed Lot 2 or an Exception to allow a non-conforming water service line must be obtained.

The applicant has submitted a Planned Residential Development – Initial and Final Development Plan to reduce the required front yard setback for the existing townhouse development at 2019 and 2021 Monte Vista Drive. In particular, the applicant is requesting to reduce the front yard setback from the required 25 feet to 19 feet in front of the existing two-unit townhouse development.

The applicant has submitted an associated Preliminary Plat request to subdivide the property into two lots (No. 10PL005) and a Subdivision Variance request (No. 10SV003).

The property is located on Monte Vista Drive, south of Canyon Lake Drive. The lots were originally platted in 1934 and were annexed to the City in 1947. As previously noted, the

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property was recently developed with a two-unit townhouse.

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

Water Service Line: Staff has indicated that proposed Lot 2 has non-conforming water service due to a portion of the water service line being located on proposed Lot 1. The applicant has indicated that the water service line at proposed Lot 2 will not be relocated. The applicant submitted an Exception request to the non-conforming water service line at proposed Lot 2 on March 15, 2010. Staff is currently reviewing the Exception request. As such, staff recommends that prior to Planning Commission approval, the applicant must submit construction plans showing the relocation of the non-conforming service line to proposed Lot 2 or an Exception to allow a non-conforming water service line must be obtained.

Setbacks: The applicant is requesting a 19 foot front yard setback from the existing two-unit townhouse development on the property. The Medium Density Residential District requires a minimum 25 foot front yard setback for residential structures. The reduced front yard setback on the property is a direct result of a 14 foot wide right-of-way dedication, which is a requirement of the associated Preliminary Plat application (No. 10PL005).

A 33 foot long driveway extends from in front of each existing townhouse unit to Monte Vista Drive. A 19 foot long portion of the driveway is located on the applicant's property, and a 14 foot long portion of the driveway is located within the public right-of-way, which is being dedicated as a requirement of the associated Preliminary Plat (No. 10PL005). In the past, 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. An Exception (No. 09EX101) to waive the requirement to install sidewalks per City of Rapid City Ordinance 12.16.080 was approved at the time a building permit was obtained for the townhouses on the property. Further, Monte Vista Drive is developed without sidewalks along the street. Because there are no sidewalks on the property, or on the surrounding properties, a vehicle parked within the existing driveway will not encroach into a designated pedestrian path. As such, staff recommends that the front yard setback on the property be reduced from the required 25 feet to 19 feet for the existing townhouses. The existing townhouses must not be expanded to encroach any further into the required setbacks, and in the event that the existing townhouses are removed, new construction on the property must comply with all required setbacks, or a Major Amendment to the Planned Residential Development must be obtained.

Notification Requirements: The receipts from the certified mailings have been returned and the sign has been posted on the property. As of this writing, staff has not received any inquiries regarding this application.