

STAFF REPORT
October 27, 2011

No. 11PD036 - Major Amendment to a Planned Residential Development **ITEM 23**

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	DKEA, LLC & Red Rock Development Co., LLC
REQUEST	No. 11PD036 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lots 14 thru 22 of Block 7 and Lots 14 thru 21 of Block 8 of Red Rock Meadows Subdivision located in the NW1/4 of the NW1/4 of Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.5 acres
LOCATION	At the northern terminus of Seminole Lane
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	General Agriculture District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	9/2/2011
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

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

1. An Exception is hereby granted to reduce the front yard setback from 25 feet to 20 feet to the garage and 15 feet to the structure;
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 Planning Commission approval, the applicant shall bring the property into compliance with Rapid City Municipal Code Chapters 8.34 and 8.50 and Air Quality Construction Permit 11AQ006;

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4. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment or a subsequent Major Amendment;
5. All applicable provisions of the adopted International Fire Code shall continually be met;
6. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Major Amendment to the Planned Residential Development; and,
7. The Major Amendment to 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.

GENERAL COMMENTS:

(Update October 27, 2011. All revised and/or added text is shown in bold.) This item was continued at the October 6, 2011 Planning Commission meeting due to concerns expressed by area property owners and non-compliance with Rapid City Municipal Code Chapters 8.34 and 8.50 and Air Quality Construction Permit 11AQ006. In particular, representatives of the Red Rock Meadows Homeowner's Association voiced concerns regarding the proposed 20 foot setback from garages and noted concern with the lack of responsibility for maintenance of drainage areas, mowing in the development and responsibility for maintenance of the decorative street lighting.

The decorative street light on Dunsmore Road has been installed and is operational. As of this writing the applicant is working to bring the property into compliance with Rapid City Municipal Code Chapters 8.34 and 8.50 and Air Quality Construction Permit 11AQ006. Staff will notify the Planning Commission at the October 27, 2011 Planning Commission meeting if these requirements have not been met. Staff recommends that the Major Amendment to the Planned Residential Development be approved with stipulations as identified above.

The applicant has submitted a Major Amendment to the Planned Residential Development for single family lots with front yard setbacks reduced from 25 feet to 20 feet to the garage and 15 feet to the structure. The proposed development is Phase IV of Red Rock Meadows Subdivision. The applicant has submitted sample elevations and proposed building materials and color schemes.

On September 20, 2007, the Planning Commission approved an Initial and Final Planned Residential Development (File #07PD073) to allow a 33 lot single family residential development. The property above was designated as open space.

On October 18, 2010, City Council approved with stipulations a Preliminary Plat (File #10PL037) for 17 single family lots. On August 18, 2011, a Final Plat (File #11PL042) was approved creating 17 single family lots.

The property is located north of the terminus of Seminole Lane. Currently, the property is void of any structural development.

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STAFF REVIEW:

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

Setbacks: The applicant is requesting that the front yard setback be reduced to 15 feet in front of the structure and 20 feet in front of the garage in lieu of the required 25 foot front yard setback. The City Council has recently approved an ordinance amendment (File #11OA004) for front yard setbacks that would allow a minimum of a 20 foot front yard setback. The ordinance does not take effect until October 14, 2011. As such, the applicant has submitted this Planned Development application to reduce the front yard setback. In addition, the previously approved Planned Development for these lots allowed a 15 foot front yard setback to the residences. As such, staff is recommending that a minimum 20 foot setback be provided in front of the garages to secure an adequate parking apron on the properties and to allow a minimum 15 foot setback to the residences as previously approved. All provisions of the Low Density Residential District must be met unless otherwise specifically authorized as a stipulation of this Major Amendment or a subsequent Major Amendment.

Design: The applicant is proposing to build single family dwellings with concrete foundations, timber structures and pre-engineered roof and floor trusses. Finishes will include pre-finished horizontal hard board lap siding with earth tone, sky, rainbow or sunset colors, stone and/or brick accents and the roof will consist of fiberglass shingles. The proposed structures must conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Major Amendment to the Planned Residential Development.

Fire Department: The Fire Department encourages the use of fire sprinkler protection throughout the development even though this is not required. All applicable provisions of the adopted International Fire Code must continually be met.

Air Quality: The applicant has been put on notice that the property is in violation of Rapid City Municipal Code Chapters 8.34 and 8.50 and Air Quality Construction Permit 11AQ006. Erosion and sediment controls need to be installed and maintained and the disturbed area needs to be stabilized and permanently re-vegetated. Staff recommends that prior to Planning Commission approval, the applicant must bring the property into compliance with Rapid City Municipal Code Chapters 8.34 and 8.50 and Air Quality Construction Permit 11AQ006

Notification Requirement: **The white slips and green cards from the certified mailing have been returned and the required sign has been posted on the property.**