

STAFF REPORT
October 27, 2011

No. 11PD037 - Initial and Final Residential Development Plan

ITEM 24

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	DKEA, LLC & Red Rock Development Co., LLC
REQUEST	No. 11PD037 - Initial and Final Residential Development Plan
EXISTING LEGAL DESCRIPTION	A portion of the NE1/4 of the NE1/4, Section 29, and a portion of the NW1/4 of the NW1/4, Section 28, T1N, R7E, BHM Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwesterly corner of Lot 1, Block 12 of Red Rock Meadows Subdivision, and the point of beginning; Thence, first course: N00°19'29"W, a distance of 99.01 feet; Thence, second course: N00°18'28"W, a distance of 90.00 feet; Thence, third course: N89°41'32"E, a distance of 139.00 feet; Thence, fourth course: N00°18'28"W, a distance of 156.18 feet; Thence, fifth course: N89°41'32"E, a distance of 162.02 feet; Thence, sixth course: S00°19'45"E, a distance of 258.01 feet, to the northwesterly corner of Lot 13, Block 7 of Red Rock Meadows Subdivision; Thence, seventh course: S00°35'32"W, along the westerly boundary of said Lot 13, a distance of 88.37 feet to the northwesterly corner of Lot 7, Block 7 of Red Rock Meadows Subdivision, common to the northeasterly corner of Lot 8, Block 7 of Red Rock Meadows Subdivision; Thence, eighth course: S89°43'07"W, along the northerly boundary of said Lot 8, a distance of 108.73 feet to the northwesterly corner of said Lot 8; Thence, ninth course: N89°58'06"W, a distance of 52.00 feet, to the northeasterly corner of said Lot 1; Thence, tenth course: N89°58'06"W, along the northerly boundary of said Lot 1, a distance of 138.97 feet to the said point of beginning
PARCEL ACREAGE	Approximately 1.891 acres
LOCATION	At the current northern terminus of Dunsmore Road
EXISTING ZONING	General Agriculture District - Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING North:	General Agriculture District - Low Density Residential District (Planned Residential Development)

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South:	Low Density Residential District
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 Initial and Final Residential Development Plan be approved with the following stipulations:

1. An exception is hereby granted to allow a 51 foot setback from the section line in lieu of the required 58 foot setback.
2. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be recorded at the Register of Deeds Office;
3. 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;
4. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
5. 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;
6. An air quality construction permit shall be obtained prior to any surface disturbance of one acre or more;
7. All applicable provisions of the adopted International Fire Code shall continually be met; and,
8. 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 an associated item's (File #11PD036) non-compliance with an Air Quality Construction Permit. 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.

On October 17, 2011, the City Council approved an associated rezone (File #11RZ013).

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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 Initial and Final Residential Development Plan be approved with stipulations as identified above.

The applicant has submitted an Initial and Final Planned Residential Development for single family residential lots with a reduced section line setback of 51 feet in lieu of the required 58 foot section line setback. The proposed development is Phase V of Red Rock Meadows Subdivision. The applicant has submitted sample elevations and proposed building materials and color schemes.

The applicant has also submitted a Rezone request (File #11RZ013) for proposed Lots 2 and 3 of Block 12. The Rezone request will be considered at the City Council meeting on October 3, 2011.

On August 16, 2011, the City Council approved with stipulations a Preliminary Plat (File #11PL038) to subdivide the property into six lots. To date, a Final Plat has not been submitted.

The property is located approximately 130 feet northeast of the intersection of Dunsmore Road and Donegal Way. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Setbacks: The applicant has requested that the minimum section line setback be reduced to 51 feet in lieu of the required 58 feet. The 66 foot wide section line right-of-way will be preserved. An ordinance amendment (File #11OA004) is currently in the process of approval and will reduce the minimum front yard setback from 25 feet to 20 feet. The 51 foot setback from the section line shall take precedence over the 20 foot front yard setback. As such, staff is recommending that the proposed section line setback be allowed as proposed with the stipulation that a minimum 51 foot section line setback be provided. All provisions of the Low Density Residential District must be met unless otherwise specifically authorized as a stipulation of this Planned Residential Development or a subsequent Major Amendment. Please note that Dunsmore Road is currently constructed within the section line highway providing access to adjacent properties in compliance with the City's Street Design Criteria Manual.

Final Plat: A Preliminary Plat has been approved for the above property. To date, the applicant has not submitted a Final Plat. Prior to issuance of a Certificate of Occupancy, a Final Plat must be recorded at the Register of Deeds Office in order to secure legal access and to secure City utilities within the right-of-way as required.

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-

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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.

Air Quality: The applicant has not submitted a Final Plat for approval. The property as it exists today is over one acre in area. As per Chapter 18.34.120 of the Rapid City Municipal Code, an air quality construction permit must be obtained prior to any surface disturbance of one acre or more.

Fire Department: The applicant must confirm with the Fire Department that the Fire Flow available within Phase V is adequate to support the development. Fire sprinkler protection may be utilized to offset Fire Flow requirements. Staff recommends that all applicable provisions of the adopted International Fire Code must continually be met

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.**