

STAFF REPORT
October 25, 2012

No. 12PD033 - Final Planned Development Overlay to Construct Single Family Residences **ITEM 7**

GENERAL INFORMATION:

APPLICANT	Renee Catron - Renner & Associates, LLC
AGENT	Don Ward - DKEA, LLC
PROPERTY OWNER	DKEA, LLC
REQUEST	No. 12PD033 - Final Planned Development Overlay to Construct Single Family Residences
EXISTING LEGAL DESCRIPTION	<p>A portion of the NW1/4 of the NW1/4 of Section 28 and a portion of the NE1/4 of the NE1/4, of Section 29, T1N, R7E, BHM. Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northeasterly corner of Lot H2 of the NE1/4 of the NE1/4 of Section 29, T1N, R7E, BHM, common to the section corner common to Sections 20, 21, 28, & 29, all in T1N, R7E, BHM, and the point of beginning; Thence, first course: S89°54'08"E, along the section line common to Sections 21 and 28, a distance of 308.04 feet; Thence, second course: S00°05'52"W, a distance of 38.00 feet; Thence, third course: S44°53'01"W, a distance of 14.09 feet; Thence, fourth course: S00°19'45"E, a distance of 85.21 feet, to the northwesterly corner of Lot 21 of Block 8 of Red Rock Meadows Subdivision, common to the northeasterly corner of Seminole Lane Right-of-Way; Thence, fifth course: N89°55'41"W, along the northerly edge of said Seminole Lane Right-of-Way, a distance of 52.00 feet, to the northwesterly corner of said Seminole Lane Right-of-Way; Thence, sixth course: S00°19'45"E, along the westerly edge of said Seminole Lane Right-of-Way, a distance of 5.00 feet, to the northeasterly corner of Lot 22 of Block 7 of Red Rock Meadows Subdivision; Thence, seventh course: N89°55'41"W, along the northerly boundary of said Lot 22, a distance of 110.00 feet, to the northwesterly corner of said Lot 22; Thence, eighth course: S00°19'45"E, along the westerly edge of Lots 22 through Lots 16 of Block 7 of Red Rock Meadows Subdivision, a distance of 602.18 feet, to the northwesterly corner of Lot 15 of Block 7 of Red Rock Meadows Subdivision, common to the southwesterly corner of said Lot 16 and the northeasterly corner of Lot 26 of Block 7 of Red Rock Meadows Subdivision; Thence, ninth course: S89°41'32"W, along the northerly edge of said Lot 26, a distance of 110.02 feet, to the</p>

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northwesterly corner of said Lot 26, common to the northeasterly corner of Dunsmore Road Right-of-Way; Thence, tenth course: S89°41'32"W, along the northerly edge of Dunsmore Road Right-of-Way, a distance of 52.00 feet, to the northwesterly corner of said Dunsmore Road Right-of-Way; Thence, eleventh course: N00°18'28"W, a distance of 576.40 feet, to a point on the southerly boundary of Lot H2 of the NE1/4 of the NE1/4 of Section 29, T1N, R7E, BHM; Thence, twelfth course: S89°59'27"E, along the southerly boundary of said Lot H2, a distance of 26.00 feet, to the southeasterly corner of said Lot H2, common to a point on the section line common to Sections 28 and 29; Thence, thirteenth course: N00°18'28"W, along the easterly boundary of said Lot H2, a distance of 165.00, to the northeasterly corner of said Lot H2, common to the said section corner common to Sections 20, 21, 28, and 29, to the said point of beginning

PARCEL ACREAGE	Approximately 3.174 acres
LOCATION	At the current northern terminus of Dunsmore Road
EXISTING ZONING	Low Density Residential District (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	(Pennington County) Suburban Residential District
South:	Low Density Residential District (Planned Development)
East:	Low Density Residential District (Planned Development)
West:	General Agricultural District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	September 28, 2012
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Final Planned Development Overlay to construct single family residences be approved with the following stipulations:

1. An Exception is hereby approved to reduce the section line setback on the west side of Lots 27-34 from 58 feet to 51 feet;
2. An Exception is hereby approved to reduce the front yard setback on the north side of Lots 34 and 35 from 25 feet to 21 feet contingent upon dedication of a non-access

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- easement on the northern property line of both Lots;
3. An Exception is hereby approved to reduce the front yard setback on Lot 35 from 20 feet to 15 feet along Seminole Lane for the residence contingent upon a 20 foot setback being provided in front of the garage;
 4. Prior to issuance of a building permit, Development Engineering Plans shall be approved for the property;
 5. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved for each lot;
 6. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;
 7. All requirements of the Low Density Residential District shall be continually met unless specifically stipulated as a part of this Planned Development Overlay or a subsequent Major Amendment;
 9. This Planned Development Overlay shall allow for the construction of single family residences. Other uses permitted in the Low Density Residential District shall be allowed in this Planned Development. All conditional uses in the Low Density Residential District shall require a Major Amendment to the Planned Development;

GENERAL COMMENTS: The applicant has submitted a Planned Development Overlay to allow the construction of single family residences with reduced setbacks on a total of nine lots. A Preliminary Subdivision Plan (File #12PL044) for this property was approved with stipulations on September 6, 2012. As of this writing, Development Engineering Plans have not been submitted for the proposed lots or for the construction of Dunsmore Road, Poppy Lane, and Seminole Lane.

The Final Planned Development is to include proposed Lots 27-35 of Block 7. The property is located at the northern terminus of Dunsmore Road, extending north approximately 600 feet. Currently the property is undeveloped.

STAFF REVIEW: Staff has reviewed the proposed Planned Development Overlay and has noted the following considerations:

Setbacks: Proposed Lots 27-34 are located adjacent to a portion of a section line highway located west of the property. The section line requires a 58 foot setback. The applicant has requested a reduction in the section line setback to 51 feet. The requested reduction in the section line highway setback will provide a front yard setback on Lots 27-34 of 25 feet. Dunsmore Road is classified as a local street on the City's Major Street Plan and, as such, requires a minimum 20 foot front yard setback however, the section line setback requirements supersedes the front yard setback requirements. The proposed reduction in the section line setback is identical to a reduction granted in the Planned Development (File #11PD036) immediately to the south of the requested Planned Development. A similar reduction in the section line setback will maintain the character of the neighborhood. The requested reduction in the section line setback will still allow construction of Dunsmore Road with 26 feet of pavement and 7 additional feet of right-of-way while maintaining a 25 foot front yard setback on Lots 27-34. It appears the proposed reduction in the section line setback will not adversely affect the construction of the section line highway and will preserve the character of the neighborhood. As such, staff recommends that the Exception

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to reduce the setback from the section line highway to the west of Lots 27-34 from 58 feet to 51 feet be approved.

Proposed Lots 34 and 35 are located adjacent to a section line highway located north of the property and require a 58 foot section line setback. Poppy Trail is identified as a proposed collector street on the City's Major Street Plan, requiring a minimum of 68 feet of right-of-way and a front yard setback of 25 feet. The applicant has requested a reduction in the front yard setback on Lots 34 and 35 from 25 feet to 21 feet along Poppy Trail. Construction plans for Poppy Trail show the dedication of 38 feet of right-of-way. A 21 foot front yard setback on proposed Lots 34 and 35 will provide a 59 foot section line setback. It should be noted that a stipulation of the approved Preliminary Subdivision Plan (File #12PL044) requires construction of an additional foot of pavement on Poppy Trail. The applicant should be aware that upon submittal of Development Engineering Plans, revised plans must be submitted showing the required additional foot of pavement on Poppy Trail or an Exception must be obtained. The plat document shows that a non-access easement will be dedicated on the north side of Lots 34 and 35 along Poppy Trail, meaning that access to Lots 34 and 35 must be from Dunsmore Road and Seminole Lane, respectively. The dedication of a non-access easement will ensure that access to the proposed lots is not occurring from Poppy Trail. Based on the platting document showing that sufficient right-of-way is being dedicated, and that access to Lots 34 and 35 will not be taken from Poppy Trail, staff recommends the Exception to reduce the front yard setback on Lots 34 and 35 from 25 feet to 21 feet be approved.

Proposed Lot 35 is a double frontage lot abutting Poppy Trail to the north and Seminole Lane to the east. Seminole Lane is classified as a local street, requiring a 20 foot front yard setback. The applicant has submitted a request to reduce the front yard setback on Lot 35 from 20 feet to 15 feet along Seminole Lane. The requested setback is consistent with setback reductions approved as a part of a Planned Development located on property to the south of the proposed development (File #11PD036). It should be noted, however, that the previously approved Planned Development requested the 15 foot front yard setback apply to the residence only, while the garage maintained a 20 foot front yard setback. The particular design standards of this phase of development include such a reduced setback for the residence and a greater front yard setback to the garage. Typically, staff would not support granting an Exception reducing the front yard setback to 15 feet, however a similar reduction in the required front yard setback will maintain the character of this specific phase of development and allow for the provision of a sufficient parking apron in front of the garage. Based on the fact that the requested 15 foot front yard setback is already an accepted design standard for this specific phase of development, staff recommends that the Exception to reduce to front yard setback on Lot 35 from 20 feet to 15 feet be approved for the residence contingent upon a 20 foot setback being provided in front of the garage.

Platting: As was mentioned previously, a Preliminary Subdivision Plan was approved by City Council for this property on September 6, 2012 (File #12PL044). As of this writing, Development Engineering Plans have not been submitted for review. The property must be platted prior to development. As such, prior to issuance of a building permit, Development Engineering Plans must be approved for the property. Prior to a Certificate of Occupancy, a Final Plat must be approved for the property.

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Notification Requirements: The sign has been posted on the property. As of this writing, the green cards and white receipts required as proof of the certified mailing have not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the October 25, 2012 Planning Commission meeting if these requirements have not been met. There have been no inquiries into the proposed Planned Development.