

STAFF REPORT
January 10, 2013

No. 12PD040 - Planned Development Overlay to Allow Construction of a Townhome Development in the Low Density Residential District **ITEM 4**

GENERAL INFORMATION:

APPLICANT	Sperlich Consulting, Inc.
AGENT	Lage Construction, Inc.
PROPERTY OWNER	Judith Landguth
REQUEST	No. 12PD040 - Planned Development Overlay to Allow Construction of a Townhome Development in the Low Density Residential District
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 1 of Pine View Terrace, located in Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.22 acres
LOCATION	On the north side of Corral Drive west of the intersection of Corral Drive and Park Drive
EXISTING ZONING	Low Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Park District
South:	Low Density Residential District
East:	Park District
West:	Low Density Residential District (Planned Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	December 4, 2012
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

Staff recommends that the Planned Development Overlay to Allow Construction of a Townhome Development in the Low Density Residential District be approved with the following stipulations:

1. An Exception to reduce the front yard setback from 25 feet to 20 feet is hereby granted;
2. An Exception to reduce the setback from the section line from 58 feet to 41 feet is hereby granted;
3. An Exception to reduce the minimum required lot width at the front building line from 50 feet to 48 feet is hereby granted;

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4. An Exception to increase the maximum permitted lot coverage for all lots from 30 percent to 37.5 percent is hereby granted contingent upon all site drainage being accommodated;
5. A building permit shall be required prior to any construction. A Certificate of Occupancy shall be obtained prior to occupancy;
6. Prior to issuance of a building permit, a Final Planned Development for the property shall be approved;
7. Prior to issuance of a building permit, the applicant shall confirm with the Rapid City Fire Department that adequate fire flows exist throughout the proposed development. If fire flows are found to be inadequate for the development, a fire sprinkler protection system shall be provided for each residence. In addition, the applicant shall coordinate with the Rapid City Fire Department for implementation of a Wildland Fire Mitigation Plan as necessary. All provisions of the most recently adopted International Fire Code shall be continually maintained;
8. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be recorded at the Register of Deeds for each townhome lot; and,
9. All provisions of the Low Density Residential District shall be continually maintained unless specifically stipulated as a part of this Initial Planned Development, the Final Planned Development, or a subsequent Major Amendment.

GENERAL COMMENTS: The applicant has submitted a request for an Initial Planned Development application to allow construction of a townhome development to be constructed in the Low Density Residential District. In particular, the applicant is proposing to develop approximately 3.22 acres of property with 12 townhome units located in 6 structures. In addition to the proposed townhome units, one lot is proposed for development as a single family residence. The applicant has requested a number of Exceptions to the regulations for the Low Density Residential District, including reduced minimum street frontage for a residential lot, reduced front yard setbacks, reduced setbacks to a Section Line Highway, and an increase in the permitted lot coverage. A Final Planned Development must be approved prior to issuance of a building permit.

The applicant has submitted a Layout Plan (File #12PL098) to create 6 townhome lots, one lot for a single family residence, drainage lots, and public right-of-way. Staff comments on the Layout Plan are due to the applicant on January 8, 2013.

The property is located north of Corral Drive, immediately southwest of the Corral Drive Middle School. The property is currently developed with two single family residences.

STAFF REVIEW: Staff has reviewed the request for an Initial Planned Development pursuant to the requirements of Chapter 17.50.050.F(5) of the Rapid City Municipal Code and has noted the following considerations:

There are certain conditions pertaining to the particular piece of property in questions because of its size, shape, or topography;

The property is comprised of approximately 3.22 acres zoned Low Density Residential District, requiring an approved Planned Development for development of townhomes. Prior to issuance of a building permit, a Final Planned Development must be approved for the

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property. Pursuant to Rapid City Municipal Code Chapter 17.50.020.D, each townhome unit must be platted on its own lot. As such, prior to a Certificate of Occupancy for each townhome, a Final Plat for each lot must be recorded with the Register of Deeds.

The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;

The applicant is proposing to redevelop property which is currently developed with two single family residences located on one lot. Property to the west, south, and southeast is developed with single family residences. Property to the north and east is zoned Public District and is the location of the Corral Drive Middle School. Property east of Corral Drive Middle School is zoned Medium Density Residential District and is developed with multifamily housing. The requested Planned Development proposes the construction of townhome units. It does not appear that the application of the regulations for this particular piece of property creates a practical difficulty or undue hardship.

Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations;

The applicant has requested a number of Exceptions from the requirements of the Low Density Residential District and the regulations for townhome developments. The requested Exceptions are as follows:

- Reduce the front yard setback for all lots from 25 feet to 20 feet.
- Reduce the section line setback from 58 feet to 41 feet.
- Reduce the minimum required lot width at the front building line from 50 feet to 48 feet.
- Increase the maximum permitted lot coverage from 30 percent to 37.5 percent.

The proposed development meets all the land-use requirements for a townhome development. The requested Exceptions are from the regulations for the Low Density Residential District. The requested Exceptions will allow the applicant to construct the requested townhomes while still providing a front yard setback that has previously been deemed appropriate for a townhome development. Each unit includes a two-car garage, providing the minimum required off-street parking. Based on the existing development standards for a townhome development, staff recommends the Exception to reduce the front yard setback from 25 feet setback to 20 be approved.

The applicant has requested to reduce the setback to the section line setback from 58 feet to 41 feet in order to permit development of one lot on the property as a single family residence. An Exception waiving the requirement to construct the section line highway improvements located on the property was approved by Public Works staff on December 20, 2012. Corral Drive currently provides connectivity between property to the west and Sheridan Lake Road to the east. Public Works staff has indicated there are no plans to construct that portion of section line highway at this time. Based on the fact that the portion of section line highway will not be constructed, and that Corral Drive provides a connection to properties located west of the development, staff recommends the Exception to reduce the setback to the section line from 58 feet to 41 feet be approved.

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The applicant has requested to reduce the minimum lot width required at the front building line from 50 feet to 48 feet. Development standards for a townhouse development require a minimum lot width of 16 feet. Final platting of the proposed townhome lots will create a front building line on some lots that is less than the minimum required 50 feet. The requirement for a minimum 50 foot wide lot at the front building line is a requirement of the Low Density Residential District. The land-area regulations for the Low Density Residential District also require a minimum lot frontage along a public street of 25 feet. All the proposed lots will be providing the minimum 25 feet of lot frontage. Based on the nature of the development as primarily townhome development and that all lot frontage along a public street will be greater than the minimum required 25 feet, staff recommends that the Exception to reduce the minimum lot width along the front building line from 50 feet to 48 feet be approved.

The applicant has requested to increase the maximum permitted lot coverage on each lot from 30 percent to 37.5 percent. Development standards for a townhouse development required maximum lot coverage of no greater than 40 percent. The requirement for maximum lot coverage of 30 percent is a requirement of the Low Density Residential District. Based on the nature of the development primarily as a townhome development, staff recommends that the Exception to increase the maximum permitted lot coverage from 30 percent to 37.5 percent be approved.

A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;

The Low Density Residential District is intended to be used for single-family development with low population densities. However, townhomes have been deemed an appropriate conditional use in the Low Density Residential District if reviewed and approved through the Planned Development process. The proposed development meets all the requirements for townhomes. Application of the requirements of the Low Density Residential District would prohibit development of the property as townhomes.

Any adverse impacts will be reasonable mitigated;

The Planned Development will serve as the tool by which the adverse impacts of this request are mitigated. During staff review of this item, Emergency Services noted that the proposed name of the street, "Forest Edge Lane", would not suffice for a road name, due to the prevalence of "Forest" on road names in the City already. The applicant should note that the proposed road name, "Forest Edge Lane" will not be permitted when the property is platted and the right-of-way is dedicated, however, the proposed road name is not being addressed through this Initial Planned Development.

During review of this item, staff did receive one public comment from Mr. Timothy Mills expressing opposition to the proposed Planned Development, citing concern that the proposed development will create an increase in traffic and contribute to dangerous traffic conditions on Corral Drive. Transportation Planning staff has noted that International Traffic Engineering trip generation data for the proposed development projects approximately 70 trips per weekday will be generated by the proposed units. Public Works staff has noted

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that the projected number of trips generated by this proposed development does not trigger the requirement for a traffic impact study. The Rapid City Police Department and the Rapid City Fire Department have both indicated that the proposed development should not have an adverse impact on traffic on Corral Drive.

The Rapid City Fire Department has indicated that the property is located within a Wildland Fire Hazard Area, and that the applicant may be required to complete a fuels assessment and plan for the project. In addition, Fire Department staff has noted that fire flows for the development must be confirmed adequate to accommodate fire protection requirements. If fire flow calculations are found to be inadequate for protection, a fire sprinkler protection system will be required for each structure. Prior to issuance of a building permit, the applicant must coordinate with the Rapid City Fire Department to ensure adequate fire flows are being provided for the development. If fire flows are found to be inadequate, a fire sprinkler protection system must be provided for each residence. All provisions of the most recently adopted International Fire Code must be continuously maintained.

The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objectives of the existing standard sought to be modified;

The requested Exceptions to the land-area regulations for the Low Density Residential District will allow development of the property as townhomes while still accommodating the permitted uses of the Low Density Residential District. The reduced setback and increased lot coverage create a neighborhood with unique characteristics, while still maintaining separation between structures and the public right-of-way. The Exceptions allow for alternative practices that facilitate a wider range of residential development in the area. The property is located adjacent to the Corral Drive Middle School, making it desirable for residential development. Due to the number of proposed townhome units, the proposed development should not have a negative impact on area traffic. Based on these reasons, as well as the innovation of the proposed development combined with the compatible residential uses in the area, staff recommends the requested Planned Development be approved with the stipulations outlined above. All requirements of the Low Density Residential District will be met unless specifically stipulated as a part of this Initial Planned Development, the Final Planned Development, or a subsequent Major Amendment to the Planned Development.

Notification Requirements: The sign has been posted on the property. As of this writing, the green cards and white receipts that serve as proof of the required certified mailing have not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the January 10, 2013 Planning Commission if these requirements have not been met. As of this writing, there has been one inquiry into the proposed Initial Planned Development Overlay. The inquiring party opposes the requested Planned Development, citing concerns for traffic safety and congestion.