

STAFF REPORT  
October 24, 2013

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**No. 13PD041 - Final Planned Development Overlay to Allow a Residential Development** **ITEM 9**

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GENERAL INFORMATION:

APPLICANT	Prairie Meadows Property, Inc
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Freeland Meadows LLC
REQUEST	<b>No. 13PD041 - Final Planned Development to allow a single family residential development</b>
EXISTING LEGAL DESCRIPTION	Lots 1 thru 15 of Block 1, Lots 1 thru 13 and Lots 16 thru 21 of Block 2, Lots 1 and 2 of Block 3 and Lots 1 thru 7 of Block 4 of Prairie Meadows Subdivision, located in Government Lot 4, Section 18, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 11.922 acres
LOCATION	At the intersection of East Bengal Drive and Eli Drive
EXISTING ZONING	Low Density Residential District (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Development Designation)
South:	Medium Density Residential District (Planned Development) - Medium Density Residential District (Planned Development Designation)
East:	Low Density Residential District (Planned Development)
West:	Low Density Residential District (Planned Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	September 24, 2013
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

Staff recommends that the Final Planned Development to allow a single family residential development be approved with the following stipulations:

1. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy of the structures;

STAFF REPORT  
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---

**No. 13PD041 - Final Planned Development Overlay to Allow a Residential Development** **ITEM 9**

---

2. All provisions of the International Fire Code shall continually be maintained;
3. All provisions of the Low Density Residential District shall continually be maintained unless specifically stipulated as a part of a subsequent Major Amendment to the Planned Development, and;
4. All uses permitted in the Low Density Residential District shall be permitted with the review and approval of a building permit. All conditional uses in the Low Density Residential District shall require the review and approval of a Major Amendment to the Planned Development.

**GENERAL COMMENTS:** The applicant has submitted a Final Planned Development request to allow construction of single-family residences on 42 lots and to construct one drainage lot. On January 24, 2013, the Planning Commission approved an Initial Planned Development (File #12PD045) on the property for the construction of single-family residences. On September 4, 2013, staff approved a Final Plat application (File #13PL091) to create a total of 27 residential lots on a portion of the property. On October 2, 2013, staff approved a Final Plat application (File #13PL100) creating a total of 16 additional lots on the balance of the property. Now the applicant has submitted this request for a Final Planned Development to allow the construction of single family residences. No Exceptions to the underlying zoning district are being requested as a part of this Final Planned Development.

The property is located to the southeast of the intersection of West Nike Road and Cobalt Drive. Currently, the property is void of structural development.

**STAFF REVIEW:** Staff has reviewed the requested Final Planned Development Overlay 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 question because of its size, shape, or topography;*

The property is comprised of approximately 11.922 acres zoned Low Density Residential District and Medium Density Residential District. Property to the north, east, and west is zoned Low Density Residential District with a Planned Development. The area continues to develop with single-family residential uses. Portions of the property running from east to west along the northern property line are located within a Major Drainage Easement. A stipulation of the originally approved Initial Planned Development reduced the rear yard setback for lots abutting the Major Drainage Easement from 25 feet to 20 feet. Through the platting of the property, the requirement for the reduced rear yard setback was eliminated. As such, no Exceptions have been requested through this Final Planned Development. There are no particular conditions pertaining to this piece of property due to size, shape, or topography.

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

No exceptions to the land use regulations have been requested as a part of this Final Planned Development. The application of these regulations to this particular piece of

**No. 13PD041 - Final Planned Development Overlay to Allow a Residential Development** **ITEM 9**

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property does not create a practical difficulty or undue hardship. All requirements of the Low Density Residential District shall be continually maintained.

*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;*

No exceptions to the underlying zoning district have been requested as a part of this Final Planned Development.

*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. The proposed development meets all the requirements of the Low Density Residential District. Application of the requirements of the Low Density Residential District would not deprive the applicant of rights that others in the same district are allowed.

*Any adverse impacts will be reasonable mitigated;*

The Planned Development will serve as the tool to mitigate any potential adverse impacts. During review of the Initial Planned Development, Emergency Services and Building Inspections staff noted that the then-proposed Eli Drive could not include two parts of the street running east/and west as shown on the submitted plans. The applicant subsequently changed the portions of the name of the southern east/west road within the development to "Giants Drive" during the platting of the property.

Prior to the submittal of the Development Engineering Plan application for this property, the applicant applied for and obtained an Exception from the Infrastructure Design Criteria Manual to allow a total of 42 lots to be accessed via one access point. No additional Exceptions to the Infrastructure Design Criteria Manual have been requested.

Public Works staff has noted that a storm water facility maintenance agreement has been submitted for recording, and that all designs and reports required as a part of the Development Engineering Plans have been approved and are being installed.

The Rapid City Fire Department has not noted any concerns with the proposed development. All requirements of the International Fire Code must be continually 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;*

A stipulation of the previously approved Initial Planned Development required that a Final Planned Development be approved for the property. All uses permitted in the Low Density Residential District will be permitted. All conditional uses in the Low Density Residential

STAFF REPORT  
October 24, 2013

---

**No. 13PD041 - Final Planned Development Overlay to Allow a Residential Development** **ITEM 9**

---

District will require the review and approval of a Major Amendment to the Planned Development. All requirements of the Low Density Residential District will be continually maintained unless specifically stipulated as a part of a subsequent Major Amendment to the Planned Development. The property will be developed with single family residences which meet all the regulations of the Low Density Residential District. For these reasons, staff recommends that the Final Planned Development to allow a residential development be approved with the stipulations outlined above.

NOTIFICATION REQUIREMENTS: The sign has been posted on the property. The notification letters have been returned to Community Planning and Development Services for mailing. As of this writing, there have been no inquiries into the proposed Final Planned Development.