

STAFF REPORT  
December 5, 2013

---

**No. 13PD047 - Final Planned Development to allow a residential development**      **ITEM 7**

---

GENERAL INFORMATION:

APPLICANT	Lage Construction, Inc.
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Lage Construction Inc
REQUEST	<b>No. 13PD047 - Final Planned Development to allow a residential development</b>
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 1 of Pine View Terrace, located in the SW1/4 of the SE1/4 of Section 16, T1N, R7E, BHM, Rapid City Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1-16 of Forest Edge Subdivision
PARCEL ACREAGE	Approximately 2.22 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 (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Public District
South:	Low Density Residential District
East:	Public District
West:	Low Density Residential District (Planned Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	November 8, 2013
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

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

1. The previously approved Exception to reduce the front yard setback from 25 feet to 20 feet is hereby acknowledged;
2. The previously approved Exception to reduce the setback from the section line from 58

STAFF REPORT  
December 5, 2013

---

**No. 13PD047 - Final Planned Development to allow a residential development** **ITEM 7**

---

- feet to 41 feet is hereby acknowledged;
3. The previously approved Exception to reduce the minimum required lot width at the front building line from 50 feet to 48 feet is hereby acknowledged;
  4. The previously approved Exception to increase the maximum permitted lot coverage for all lots from 30 percent to 37.5 percent is hereby acknowledged;
  5. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;
  6. 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;
  7. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be recorded at the Register of Deeds for each residential lot;
  8. All provisions of the Low Density Residential District shall be continually maintained unless specifically stipulated as a part of the Initial Planned Development, this Final Planned Development, or a subsequent Major Amendment to the Planned Development, and;
  9. This Final Planned Development shall allow for a residential development comprised of townhomes and single-family residential lots. All permitted uses in the Low Density Residential District shall be permitted with the approval of building permit and contingent upon the provision of sufficient parking. All conditional uses shall require a Major Amendment to the Planned Development.

**GENERAL COMMENTS:** The applicant has submitted a request for a Final Planned Development to allow construction of a residential development comprised of a total of 12 townhome units and one single family residential lot located on approximately 3.22 acres of property. On January 1, 2013, the Planning Commission approved an Initial Planned Development (File #12PD040) for this property. The Initial Planned Development included Exceptions to reduce the front yard setback from 25 to 20 feet on all lots, reduce the minimum required lot width from 50 feet to 48 feet on all lots, increase the maximum permitted lot coverage from 30 percent to 37.5 percent on all lots, and reduce the required setback from a section line on one of the lots from 58 feet to 41 feet.

On February 19, 2013, the City Council approved a Preliminary Plat application (File #13PL002) for the creation of 12 townhome lots, one single family residential lot, three drainage lots and dedicated public right-of-way. Development Engineering Plans were approved by staff on September 4, 2013 (File #13PL046).

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:

STAFF REPORT  
December 5, 2013

---

**No. 13PD047 - Final Planned Development to allow a residential development** **ITEM 7**

---

*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. Prior to issuance of a Certificate of Occupancy, a Final Plat for each lot must be recorded with the Register of Deeds. The size, shape, or topography of the lots does not create particular conditions which limit the development of the property.

*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 Elementary School. Property east of Corral Drive Elementary 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;*

As a part of the Initial Planned Development, the following Exceptions were approved:

- The front yard setback for all lots was reduced from 25 feet to 20 feet.
- The setback to a section line was reduced from 58 feet to 41 feet.
- The minimum required lot width along the front building line was reduced from 50 feet to 48 feet.
- The maximum permitted lot coverage for structures was increased from 30 percent to 37.5 percent.

With the acknowledgement of the previously approved Exceptions for this property, the proposed development meets all the land-use requirements for a townhome development. All regulations of the Low Density Residential District must be continually maintained unless specifically authorized as a stipulation of the Initial Planned Development, this Final Planned Development, or a subsequent Major Amendment to the Final Planned Development. Exceptions to the underlying zoning district do not cause an undue hardship to the public good or impair the intent of these regulations.

*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, in the past townhomes have been deemed an appropriate conditional use in the Low Density Residential District if reviewed and approved

STAFF REPORT  
December 5, 2013

---

**No. 13PD047 - Final Planned Development to allow a residential development** **ITEM 7**

---

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 reasonably mitigated;*

The Planned Development will serve as the tool by which the adverse impacts of this request are mitigated. During review of the Initial Planned Development, one resident did express 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 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.

During review of the Initial Planned Development, the Rapid City Fire Department indicated that the property is located within a Wildland Fire Hazard Area. A Fuels Mitigation Plan was subsequently submitted as a part of the Development Engineering Plans and approved. Fire Department staff also noted that fire flows on the property must be confirmed as 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 previously approved 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 limited number of proposed townhome units, the proposed development should not have a negative impact on area traffic. This Final Planned Development will allow the construction of residential development comprised of townhomes and single family residences. All uses permitted in the Low Density Residential District will be permitted with an approved building permit and contingent on provision of sufficient parking. All conditional uses will require the review and approval of a

STAFF REPORT  
December 5, 2013

---

**No. 13PD047 - Final Planned Development to allow a residential development**      **ITEM 7**

---

Major Amendment to the Planned Development. Based on these reasons, staff recommends the Final Planned Development be approved with the stipulations outlined above.

Notification Requirements: The sign has not been posted on the property. As of this writing, the notification letters have not been returned to Community Planning for mailing. Staff will inform the Planning Commission at the December 5, 2013 Planning Commission if these requirements have not been met. As of this writing, there have been no inquiries into the requested Final Planned Development.