

STAFF REPORT
October 23, 2014

No. 14PD032 - Final Planned Development Overlay to create single family residential lots **ITEM 2**

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
AGENT	Dream Design International, Inc.
PROPERTY OWNER	SSST LLC
REQUEST	No. 14PD032 - Final Planned Development Overlay to create single family residential lots
EXISTING LEGAL DESCRIPTION	<p>A portion of the E1/2 of the SW1/4, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the easterly corner of Lot 1 of Block 9 of Elks Crossing, and the point of beginning; Thence, first course: N39°36'54"W, northeasterly boundary of said Lot 1 of Block 9, a distance of 5.29 feet, to the southwesterly corner of Vinecliff Drive Right-of-Way; Thence, second course: N50°23'06"E, along the southerly edge of said Vinecliff Right-of-Way, a distance of 52.00 feet, to the southwesterly corner of Lot 5 of Block 7 of Elks Crossing; Thence, third course: N50°23'06"E, along the southerly boundary of said Lot 5, a distance of 127.19' to the easterly corner of said Lot 5, common to a point along the southwesterly boundary of Lot 1 of Block 3 of Plum Creek Subdivision; Thence, fourth course: S46°39'34"E, along the southwesterly boundary of said Lot 1 of Block 3, a distance of 38.67 feet, to the southerly corner of said Lot 1 of Block 3; Thence, fifth course: S46°39'34"E, a distance of 57.29 feet; Thence, sixth course: S00°06'48"W, a distance of 1239.83 feet, to a point on the northerly edge of East Minnesota Street Right-of-Way; Thence, seventh course: N89°55'18"W, along the northerly edge of said East Minnesota Street Right-of-Way, a distance of 94.98 feet; Thence, eighth course: N44°55'18"W, along the northerly edge of said East Minnesota Street Right-of-Way, a distance of 14.14 feet; Thence, ninth course: N00°04'42"E, along the northerly edge of said East Minnesota Street Right-of-Way, a distance of 18.67 feet; Thence, tenth course: N89°55'18"W, along the northerly edge of said East Minnesota Street Right-of-Way, a distance of 52.00 feet; Thence, eleventh course: S00°04'42"W, along the northerly edge of said East Minnesota Street Right-of-Way, a distance of 18.67 feet; Thence, twelfth course:</p>

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S45°04'42"W, along the northerly edge of said East Minnesota Street Right-of-Way, a distance of 14.14 feet; Thence, thirteenth course: N89°55'18"W, along the northerly edge of said East Minnesota Street Right-of-Way, a distance of 100.02 feet, to the southeasterly corner of Lot 15 of Block 9 of Elks Crossing; Thence, fourteenth course: N00°06'48"E, along the easterly boundary of Lots 2 through 15 of Block 9 of Elks Crossing, a distance of 1135.06 feet, to the northeasterly corner of said Lot 2, common to a southerly corner of said Lot 1, Block 9; Thence, fifteenth course: N50°23'06"E, along the southeasterly boundary of said Lot 1 of Block 9, a distance of 81.45 feet, to the point of beginning

PROPOSED LEGAL DESCRIPTION	Lots 6 thru 21 of Block 7, Lots 16 thru 29 of Block 9 of Elks Crossing
PARCEL ACREAGE	Approximately 6.3 acres
LOCATION	Between the current southern terminus of Vinecliff Drive and East Minnesota Street
EXISTING ZONING	Medium Density Residential District (Planned Development Designation) - Low Density Residential District II (Planned Development Designation)
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	Low Density Residential District II (Planned Development)
South:	General Agricultural District
East:	Low Density Residential District II (Planned Development)
West:	Medium Density Residential District (Planned Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	September 25, 2014
REVIEWED BY	Robert Laroco / Nicole Lecy

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RECOMMENDATION:

Staff recommends that the Final Planned Development Overlay to create single family residential lots 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;
2. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved for each property;
3. Prior to issuance of Certificate of Occupancy, site stabilization shall be achieved;
4. An air quality permit shall be obtained for any disturbance of earth greater than one acre;
5. All provisions of the International Fire Code shall be continually maintained;
6. All provisions of the Low Density Residential II District shall be continually maintained unless specifically stipulated as a part of a subsequent Major Amendment to the Planned Development, and;
7. This Final Planned Development shall allow for the development of single family residential lots. Any uses permitted in the Low Density Residential II District shall be permitted contingent upon an approved building permit. Any conditional uses in the Low Density Residential II District shall require the review and approval of a Major Amendment to the Planned Development.

GENERAL COMMENTS: The applicant is requesting a Final Planned Development to allow the construction of a total of 30 single family residences as a part of the ongoing Elks Crossing residential development. On February 14, 2014, staff approved Development Engineering Plans for Lots 6 through 21 of Block 7 and Lots 16-29 of Block 9 as well as the Vinecliff Drive right-of-way in the Elks Crossing Subdivision (File #14PL002). The proposed lots are located within an existing Planned Development Designation (File #02PD039), requiring that a Final Planned Development be approved prior to issuance of a building permit. Prior to issuance of a Certificate of Occupancy, a Final Plat must be approved for each lot. No Exceptions to the underlying zoning district are being requested as a part of this Final Planned Development.

The property is located between the current southern terminus of Vinecliff Drive and the eastern terminus of East Minnesota Street. The property is currently undeveloped.

STAFF REVIEW: Staff has reviewed the request for an Final 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 6.3 acres of land zoned Low Density Residential II District and Medium Density Residential District with a Planned Development Designation. Property to the north and east is zoned Low Density Residential II District with a Planned Development. Property to the south is zoned General Agriculture District. Property to the west is zoned Medium Density Residential District with a Planned Development. The area continues to develop with residential uses. The property is comprised of open, hilly prairie with little tree cover. There are no special conditions pertaining to this property due to its

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size, shape, or topography.

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

The application of these regulations to the property does not create 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;

No Exceptions to the underlying zoning district are being requested as a part of this Final Planned Development. All requirements of the Low Density Residential II District shall be continually maintained unless specifically stipulated as a part of a future Major Amendment to the 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 II District is intended for single family residences, townhomes, and accessory structures. The Medium Density Residential District allows these uses as well as multifamily uses. A literal interpretation of this chapter would not deprive the applicant of rights that others in the same district are allowed.

Any adverse impacts will be reasonably mitigated;

Public Works staff has noted that subdivision improvements in association with the associated Development Engineering Plans are currently under construction and that the requested Final Planned Development conforms to the approved plat and subdivision improvements.

Rapid City Fire Department staff has not noted any issues with the proposed Final Planned 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;

No Exceptions to the underlying zoning are being requested as a part of this Final Planned Development. The property is located within an existing Planned Development Designation, requiring that a Final Planned Development be approved for the property. Materials submitted as a part of this application show that typical elevations for the proposed single-family residences are similar to the residences located in other parts of the neighborhood. Staff recommends that the Final Planned Development to allow development of single family residences as proposed be approved with the stipulations noted above.

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Notification Requirements: The letters of notification have been returned to Community Planning and Development Services for mailing. The sign has been picked up. However, as of this writing staff has not confirmed that the sign has been posted on the property. Staff will inform the Planning Commission at the October 23, 2014 Planning Commission meeting if this requirement has not been met. As of this writing, there have been no inquiries into the proposed Final Planned Development.