



Rapid City Planning Commission

Planned Development Project Report

May 21, 2015

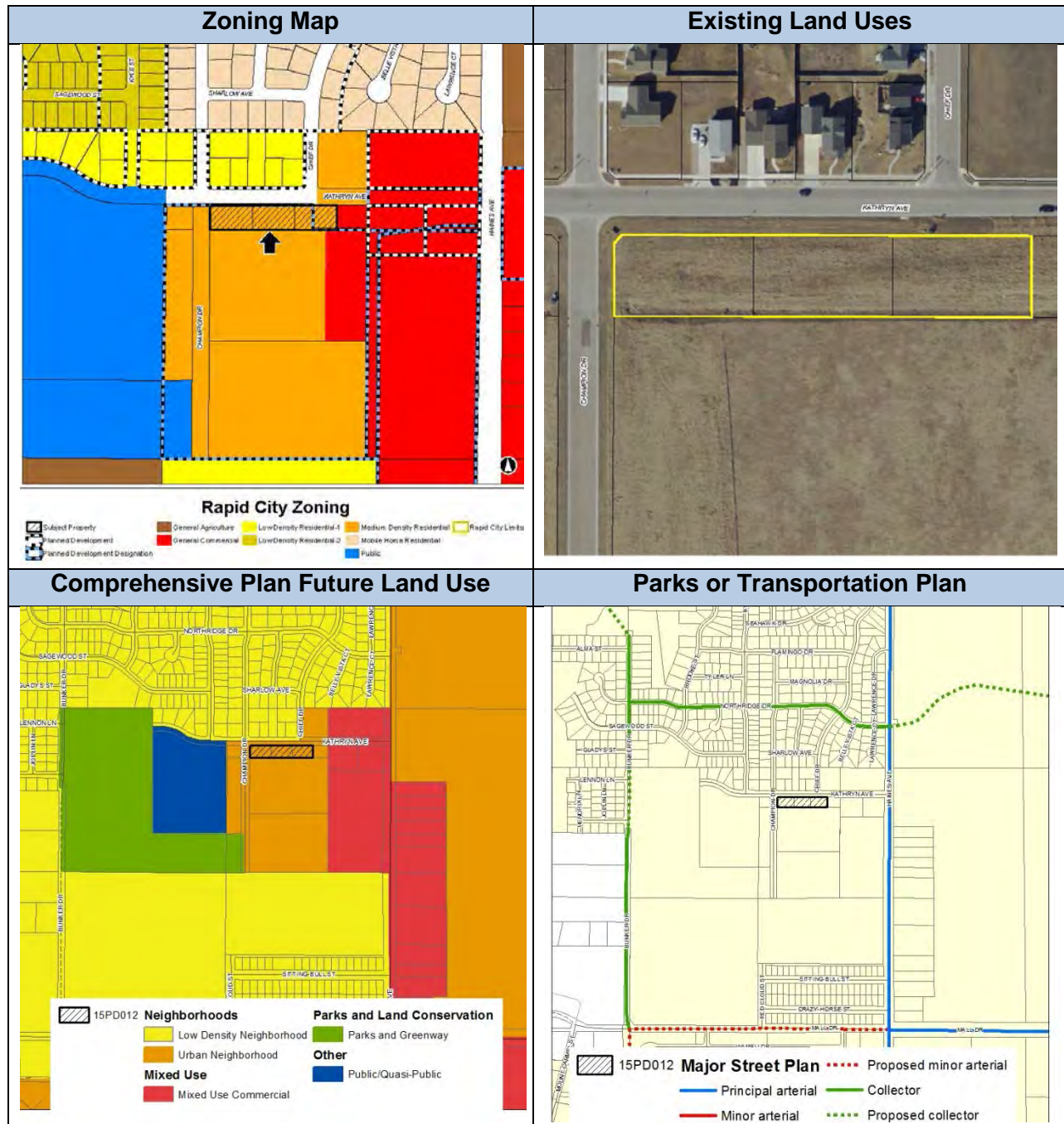
Applicant Request(s)
Case # 15PD012-Final Planned Development to allow townhome development
Companion Case(s) #: 15VE007-Vacation of a portion of a non-access easement

Development Review Team Recommendation(s)
Approve with stipulations

Project Summary Brief	
<p>The applicant has submitted a Final Planned Development to allow development of a total of 12 townhome units to be located in six structures on property located on Kathryn Avenue, west of Champion Drive. Each unit will include a one stall garage. As a part of this Final Planned Development, the applicant has requested Exceptions to reduce the required minimum lot size from 4,000 square feet on three of the proposed lots, and to reduce the minimum required front yard setback to Kathryn Avenue from 25 feet to 20 feet on all proposed lots.</p> <p>The applicant has submitted an associated Vacation of Non-access Easement for proposed Lot 1A of the development to vacate a nine foot wide portion of a non-access easement located on proposed Lot 1A in order to allow for the proposed driveway. The Vacation of Easement request was approved by staff on May 12, 2015 and has been sent to the Register of Deeds for recording.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Peter Vodenka	Planner: Robert Laroco
Property Owner: Peter and Lilly Vodenka	Engineer: Ted Johnson
Architect: The Drawing Board, Inc.	Fire District: Tim Behlings
Engineer: Renner & Associates, LLC	School District: Janet Kaiser
Surveyor: Renner & Associates, LLC	Water/Sewer: Ted Johnson
Other:	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	South of Kathryn Avenue, east of Champion Drive
Neighborhood	Deadwood Avenue
Subdivision	McMahon Subdivision
Land Area	1.177 ac (approximately 51,271 square feet)
Existing Buildings	No structural development
Topography	Typically level, with a graded drainage channel located on the south boundary of the entire property
Access	Kathryn Avenue
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ Montana-Dakota Utilities
Floodplain	No floodplain identified
Other	N/A

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	MDR/PDD	UN	No structural development.
Adjacent North	LDR/PDO, MDR	LDN	Single family residences
Adjacent South	MDR	UN	No structural development
Adjacent East	GCD	UN	No structural development
Adjacent West	MDR/PDD	UN	No structural development







Relevant Case History			
Case/File#	Date	Request	Action
06PD036	6/16/06	Planned Development Designation	Approved with stipulations
Relevant Zoning District Regulations			
Medium Density Residential District	Required	Proposed	
Lot Area	Minimum 4,000 sq. ft.	3,760.7 sq. ft. to 5,408 sq ft.	
Lot Frontage	50 feet at the front building line	50 feet at the front building line	
Maximum Building Heights	2 stories, less than 35 ft.	1 story, approximately 16 ft	
Maximum Density	40% maximum	39.8% maximum	
Minimum Building Setback:			
• Front	25 ft.	20 ft.	
• Rear	25 ft	Approximately 30 ft.	
• Side	8 ft.	Approximately 14 ft.	
• Street Side	25 ft.	25 ft.	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	2.0 per units	2.0 per unit (1 stall garage + 1 space in each driveway)	
• # of ADA spaces	N/A	N/A	
Signage	N/A	N/A	
Fencing	N/A	N/A	




Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.50.050.F.5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria in a request for a Planned Development:	
	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size shape, or topography;	There are no special conditions on this property due to lot size, shape, or topography.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;	The property was previously placed in a Planned Development Designation. The applicant is now proposing to construct townhomes on the property, requiring the review and approval of a Planned Development. The application of these regulations does not create a practical difficulty or hardship.
3. 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 reduction in the minimum required lot size for a townhome lot from 4,000 square feet to 3,760.7 square feet for proposed Lot 1D. In addition, plans show the lot size for Lot 1B at 3,955.9 square feet and the lot size for proposed Lot 1C at 3,936.8 square feet. However, the overall density of lots within the planned development will be approximately 4,272.8 square feet per lot. Based on the layout of each townhome structure and the limited building envelopes on each lot, as well as the overall density of all the proposed units maintaining the

	<p>minimum 4,000 square feet per lot, it appears that the request to reduce the minimum lot size for lots 1B, 1C, and 1D will not create a hardship to the public good or impair the intent of the regulations.</p> <p>The applicant has also requested a reduction in the minimum required front yard setback from Kathryn Avenue from 25 feet to 20 feet. The submitted site plans show proposed concrete patios located on the south side of each unit, as well as a 30 foot wide major drainage and utility easement running west to east the length of the property. The topography of the existing drainage makes it difficult to move the proposed townhomes further to the south on the property. In addition, development of the property with single family residences or duplexes would only require a 20 foot setback to Kathryn Avenue. As such, it appears that the proposed reduction in the front yard setback along Kathryn Avenue is appropriate to maintain an adequate building envelope on each property.</p>
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;	<p>The applicant is proposing to create townhomes on the properties. Townhomes are a permitted use in the Medium Density Residential District. However, due to limitation of the building envelopes on a number of the proposed lots, the applicant has requested reduction in the front yard setback and minimum lot sizes. As such, this Final Planned Development has been requested. A literal interpretation of this chapter does not deprive the applicant of rights that others in the same district are allowed.</p>
5. Any adverse impacts will be reasonably mitigated, and;	<p>The applicant should note that prior to issuance of a Certificate of Occupancy for any of the proposed townhomes, a Final Plat must be approved for each lot.</p> <p>The requested reduction in lot size for Lots 1B, 1C, and 1D will create a higher density of units for those specific lots. However, the overall density of all the proposed units will retain the minimum 4,000 square feet per townhome lot. As such, the requested reduction in the minimum lot size is not resulting in an overall increase in the permitted density of residential units to the property as a whole.</p> <p>The requested reduction in the front yard setback from 25 feet to 20 feet will provide a bigger building envelope for proposed structures while maintaining the existing drainage easement located on the southern portions of each property. In addition, if single family residences or duplexes were to be developed on the property, a maximum 20 foot front yard setback would be allowed. The proposed reduction in front yard setback will maintain the same front yard setback required by the residential uses located north of Kathryn Avenue. In addition, the proposed 20 foot front yard setback will maintain the parking envelope in order to provide the minimum required 2.0 parking space per dwelling unit required by the Rapid City Municipal Code. Based on these reasons, it appears that</p>

	potential negative impacts of the requested Exception are being mitigated to the greatest extent possible.
6. The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified.	The applicant is proposing to develop the property with a total of 12 townhome units located in 6 separate structures. The proposed reductions in minimum lot size and front yard setback will allow sufficient building envelopes to be located on each property while still maintaining the character of the neighborhood and the overall density of townhome development. Based on these reasons, it appears that the proposed Final Planned Development should be approved with the stipulations noted below.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial	
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:	

Comprehensive Plan Conformance – Core Values Chapters	
 A Balanced Pattern of Growth	
BPG-1.1A	<u>Compact Growth</u> : The proposed Final Planned Development has requested a reduction in the minimum required lot size for a townhome development as well as reduction in the minimum required front yard setback. The requested Exceptions result will allow for compact development located within established city limits.
 A Vibrant, Livable Community	
LC-1.1E	<u>Context-Sensitive Design</u> : The proposed Final Planned Development includes a reduction in the required front yard setback along Kathryn Avenue. Single-family residences, like those located on the north side of Kathryn Avenue, only require a 20 foot front yard setback. Granting the proposed reduction in the front yard setbacks for this property will ensure that the design of the new development is compatible with the established development of the surrounding neighborhood.
 A Safe, Healthy, Inclusive, and Skilled Community	
SHIS-3.3C	<u>Nearby Housing</u> : The Rapid City Comprehensive Plan identifies the need for new housing in proximity to health and social services, especially for special populations within the city. The proposed townhomes could provide safe, accessible housing for the elderly, disabled, or some other special population of the city. However, the property is not located in proximity to any health and social service facilities. It should be noted that the Rapid City Fire Department has purchased property located east of the proposed development with future plans to construct a new fire station. At this time, no plans for this development have been finalized. The proximity of emergency services will increase the safety of the neighborhood.
 Efficient Transportation and Infrastructure Systems	
TI-2.1D	<u>Coordinated Land Use and Transportation Planning</u> : Today, the properties do not include any sidewalks along Kathryn Avenue or Champion Drive. The proposed Final Planned Development will include the requirement for property line sidewalk to be installed at the time a building permit is issued. The provision

	of sidewalks is part of the coordinated approach to land use planning and transportation planning and will further increase the pedestrian connectivity of the neighborhood.
	Economic Stability and Growth
EC-1.2A	<u>Housing Stock</u> : The proposed Final Planned Development will increase the amount and diversity of available housing stock within the established boundaries of the city.
	Outstanding Recreational and Cultural Opportunities
N/A	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	<u>Public Input Opportunities</u> : The Planned Development process requires notification of the surrounding community of proposed development within a neighborhood and allows the public to voice their opinion on the ongoing development in the city to the Planning Commission and, if appealed, to the City Council.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Urban Neighborhood
Design Standards:	
SDP-N6	<u>Residential and Infill Development</u> : The proposed use of existing infrastructure promotes the existing character of the neighborhood and maintains the aesthetic value to the existing neighborhood.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Deadwood Avenue Neighborhood
Neighborhood Goal/Policy:	
DSD-NA1.1A	<u>Residential Neighborhoods</u> : The proposed Final Planned Development is targeted infill development for property located in the city limits and adjacent to an established residential neighborhood. The project increases the variety of housing options available within the neighborhood.

Planning Commission Recommendation and Stipulations of Approval	
	The Planning Commission recommends that the application be approved with the following stipulations:
1.	An Exception is hereby granted to reduce the required front yard setback to the Kathryn Avenue right-of-way on all lots from 25 feet to 20 feet;
2.	An Exception is hereby granted to reduce the minimum required lot size on proposed Lot 1B from 4,000 square feet to 3935.9 square feet, on proposed Lot 1C from 4,000 square feet to 3,936.8 square feet, and on proposed Lot 1D from 4,000 square feet to 3,760.7 square feet;
3.	Prior to issuance of a Certificate of Occupancy, a Final Plat must be approved for each lot;
4.	This Final Planned Development shall allow for development of the property with townhomes. All requirements of the Medium Density Residential District shall be met unless specifically authorized as a part of this Final Planned Development or a subsequent Major Amendment. All uses permitted in the Medium Density Residential District shall be permitted contingent upon provision of sufficient parking and an

	approved building permit. All Conditional Uses shall require the review and approval of a Major Amendment to the Planned Development.
--	---