

STAFF REPORT

October 25, 2001

No. 01PD049 - Major Amendment to a Planned Residential Development to increase the density and allow a nursing home **ITEM 19**

GENERAL INFORMATION:

PETITIONER	Thurston Design Group for Regional Senior Care
REQUEST	No. 01PD049 - Major Amendment to a Planned Residential Development to increase the density and allow a nursing home
LEGAL DESCRIPTION	Lot B of Fairelm Subdivision, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.91 acres
LOCATION	417 East Fairlane Drive
EXISTING ZONING	Medium Density Residential District (PRD)
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Neighborhood Commercial District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: **Staff recommends that the Major Amendment to a Planned Residential Development to increase the density and allow a nursing home be continued to the November 21, 2001 Planning Commission meeting to allow the applicant time to review the occupancy classification of the building.**

GENERAL COMMENTS: **This request was continued from the October 4, 2001 Planning Commission meeting. (Updates to the staff report are shown in bold.)** A Planned Residential Development was approved for this property in 1995 to allow for the construction of three assisted-living apartment complexes each with 16 units. A Major Amendment was approved by the City Council on August 5, 1996 to allow for the construction of a fourth building at the east end of the property. This building was approved for "four senior independent living town-homes". In November, 1996 Planning Staff reviewed a Building Permit for a duplex rather than the four assisted-living town-homes and approved a Minimal Amendment for this reduction in the approved density. Information provided by the current owner indicates that the structure is being used as an Alzheimer's patient facility providing care for up to twelve patients. The applicant is now requesting approval of a Major Amendment to expand the structure and provide care for four additional Alzheimer's patients for a total of sixteen patients. The Zoning Ordinance defines an assisted living center as "a

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form of congregate housing principally for the elderly with individual suites or rooms that is regulated by the state. Limited support services are provided such as assistance with activities of daily living, meals, laundry, housekeeping, transportation and social and recreational activities. Assistance and supervision with medications may be provided." The supervision required for Alzheimer's patients extends beyond the Zoning Ordinance definition referring to "limited support services" and "assistance or supervision with medications". For this reason, the proposed use has been classified as a nursing home for zoning purposes only.

STAFF REVIEW: Staff has reviewed this request and the Building Inspection Department has identified significant concerns with respect to the type of construction of the structure and the current use of the building. As mentioned previously, the Major Amendment and subsequent Minimal Amendment were approved for "senior independent living townhomes". A site inspection has shown that the building has twelve beds for the care of Alzheimer's patients. All exterior doors have locks installed that prohibit occupants of the building from exiting without inputting a code on the keypad adjacent to the door. The only occupants of the facility that know the code to allow exiting are staff members. Based upon this type of locking system and the mental and physical capabilities of the occupants of this structure, the Building Inspection Department has classified this building pursuant to the Uniform Building Code as an I-3 occupancy and has noted that the construction of the building does not meet the criteria for the I-3 classification. It should be noted that the definition of the use as a nursing home pursuant to the Zoning Ordinance does not influence or alter the classification pursuant to the Uniform Building Code.

The applicant has requested that this application be continued to the November 21, 2001 Planning Commission meeting to allow the applicant time to have further discussions with the Building Inspection Department regarding the classification of the building and review alterations to the building and locking system that would be required to allow the nursing home use to be allowed.

As of this writing, the receipts from the certified mailings have not been returned. The Use On Review sign has been posted on the property. Staff has not received any calls or inquiries regarding this request.