

STAFF REPORT
August 5, 2004

No. 04PD036 - Planned Residential Development - Initial and Final Development Plan **ITEM 23**

GENERAL INFORMATION:

PETITIONER	Richard O. Stahl
REQUEST	No. 04PD036 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1-5 of Stahl Victorian Addition of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.8 Acres
LOCATION	In the southwest corner of the intersection of West Street and South Street
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	High Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	High Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	06/17/2004
REVIEWED BY	Karen Bulman / Curt Huus

RECOMMENDATION: Staff recommends that the Planned Residential Development - Initial and Final Development Plan be **approved with the following stipulations:**

- 1. All stipulations of the Preliminary Plat (04PL092) shall be met;**
- 2. All requirements of the Uniform Fire Code shall be continually met;**
- 3. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met;**
- 4. All provisions of Section 17.50.270, the minimum Off-Street Parking Requirements of the Rapid City Municipal Code shall be continually met except the following: parking may be designed to allow vehicles to back into Stahl Court;**
- 5. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 6. The proposed structure shall conform architecturally to the plans and revised**

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elevations submitted as part of this Planned Residential Development, including the signed letter of agreement with the West Boulevard Homeowners Association and Fred Thurston;

7. The Final Residential Development Plan approval shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years;
8. If more than one acre shall be disturbed by construction, an air quality permit shall be obtained prior to issuance of a grading permit or a building permit; and,
9. All building height, setback and area requirements shall comply with the requirements of the High Density Residential Zoning District; however, a reduced setback shall be allowed as follows: an eleven foot (11') rear yard setback and a six foot (6') South Street front yard setback shall be allowed for Lot 2; a twenty foot (20') rear yard setback and a six foot (6') South Street front yard setback shall be allowed for Lot 3.

GENERAL COMMENTS: This staff report has been revised as of July 28, 2004. All revised and/or added text is shown in bold print. The subject property is located at the southwest corner of the intersection of West Street and South Street. The property is currently void of any structural development and is zoned High Density Residential District. The property owner has submitted a Preliminary Plat (04PL092) in conjunction with this Planned Residential Development – Initial and Final Development Plan.

STAFF REVIEW: According to the Rapid City Zoning Ordinance, a Planned Development Designation is a procedure by which property can be officially designated as a future Planned Residential Development, Planned Unit Development, Planned Commercial Development, or Planned Light Industrial Development prior to approval of an Initial or Final Development Plan. One of the factors established by the Ordinance in determining whether a property should be a Planned Development Designation is – *“When the location of the property is such that its development may have unusually significant impacts upon public infrastructure or surrounding developed areas.”*

On April 16, 2001, a Planned Residential Development - Initial Development Plan (01PD004) was approved by the City Council for the subject property. A Planned Residential Development – Final Development Plan (01PD047) was submitted and approved with stipulations by the Planning Commission on August 23, 2001. The application was continued by the City Council for six months waiting for the stipulations to be met. On March 4, 2002, the Final Development Plan was Denied without Prejudice as the stipulations were not met. These stipulations included landscaping and parking requirements prior to City Council approval, approval of a revised site plan identifying one additional fire hydrant prior to City Council approval, and all stipulations of the Preliminary and Final Plat (01PL084) were to be met. A Final Development Plan must be submitted within 18 months of an approved Initial Development Plan. As this date has expired, a new Initial and Final Development Plan has been submitted.

The Preliminary Plat (01PL084), submitted in 2001, was denied without prejudice on March 4, 2002 as the stipulations were not met. The applicant has resubmitted a Preliminary Plat

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(04PL092) in conjunction with this Planned Residential Development – Initial and Final Development Plan. The same information from the previous applications has been provided for the current applications. The plans need to be revised to reflect current 2004 specifications and verify existing conditions. Staff has noted that the proposed access on Hill Street needs to align with access across the street. The Preliminary Plat (04PL092) is recommended to be continued to the August 5, 2004 Planning Commission meeting in order to allow the applicant to submit the required information. **The applicant has submitted the required Preliminary Plat information. (Revised 7-28-04)**

Staff has reviewed this Planned Residential Development and noted the following considerations:

Building design:

In 2001, when the initial request for a Planned Residential Development was proposed, the members of the West Boulevard Homeowners Association requested input in the design of the property. A Resolution was approved by the Planning Commission to include the Historic Preservation Commission in the project design as the property is located adjacent to the environs of the West Boulevard Historic District. On January 17, 2002, an agreement was signed by Fred Thurston, architect, Bill Kessloff, West Boulevard Homeowners Association and Dick Stahl, applicant, identifying 7 items of compatibility by all parties. The applicant has indicated that he plans to abide by this agreement. These items include: 1. Project a two foot or more portion of the rear wall outward on the apartment building on Hill Street; 2. Revisions to the entries of the three apartment buildings to increase the size of the entry porticos or to include the adjacent window; 3. Use pre-finished double lap steel wood grain siding in a brown tone; 4. Use Prestique Elk Premium Roofing in a brown tone; 5. Appropriate landscape to contour the site to fit the natural grades and conceal the concrete foundation as the building terraces down the hillside; 6. Location of dumpsters would be located to front of Victorian Nursing Home; and, 7. All Victorian Nursing Home's guest and employee parking to take place in the front of the nursing home. The applicant has indicated he has revised his elevation plans to change the rear wall with a projection and increase the size of the entry porticos as identified on Scheme B, the revised elevation plan.

Roads:

Stahl Court and Carolyn Court are to be private roads. As such, a signed road maintenance and snow removal agreement must be submitted as part of the Preliminary Plat approval.

Setbacks:

On the previous Planned Residential Development – Final Development Plan (01PD047), a request for reduced setbacks were approved. The applicant is again requesting to reduce the setbacks for the proposed duplexes as a part of the Final Development Plan. The applicant is proposing a six foot setback from the South

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Street right-of-way for both duplexes. Staff is supporting this request as it would be very unlikely that a street would be constructed in the South Street right-of-way due to the terrain of the area. The nearest structure is approximately 130 feet to the north which includes one hundred feet of South Street right-of-way. The applicant is also asking for a reduced rear yard setback for the duplexes of eleven feet on Lot 2 and twenty feet on Lot 3. Staff is supporting the rear yard setback due to the terrain of the area. The reduced setbacks should not impact the neighboring properties. (Revised 7-28-04)

Staff is requesting this Planned Residential Development - Initial and Final Development Plan be approved with the stipulations as continued to the August 5, 2004 Planning Commission meeting to allow the Preliminary Plat information to be submitted for review. **As the applicant has submitted the required information, staff is recommending that this Planned Residential Development – Initial and Final Development Plan be approved with the stipulations as indicated. (Revised 7-28-04)**

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received several objections regarding the proposed Planned Residential Development – Initial and Final Development Plan.