

STAFF REPORT
May 4, 2006

No. 06SE003 - Exception to the Street Design Criteria Manual to allow 96 dwelling units in lieu of 40 dwelling units with one point of access **ITEM 48**

GENERAL INFORMATION:

PETITIONER	Brian Gonzales for Century Development Co.
REQUEST	No. 06SE003 - Exception to the Street Design Criteria Manual to allow 96 dwelling units in lieu of 40 dwelling units with one point of access
EXISTING LEGAL DESCRIPTION	The north 327.2 feet of the N1/2 SE1/4 lying west of interstate 90 Right-of-Way, excepting there from the W1/2 NW1/4 SE1/4, and less North Boulevard Addition, located in the unplatted (9779, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.65 acres
LOCATION	1400 Philadelphia Street
EXISTING ZONING	Office Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Park Forest District - Medium Density Residential District
South:	Flood Hazard District
East:	Medium Density Residential District
West:	Office Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	4/7/2006
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends that the Exception to the Street Design Criteria Manual to allow 96 dwelling units in lieu of 40 dwelling units with one point of access be denied.

GENERAL COMMENTS:

The applicant has submitted an Exception to the Street Design Criteria Manual to allow 96 dwelling units in lieu of 40 dwelling units with one point of access to allow Phase One of a condominium development to be constructed on the subject property. The condominium development will be known as the "Century Condominium Development".

STAFF REPORT
May 4, 2006

No. 06SE003 - Exception to the Street Design Criteria Manual to allow 96 dwelling units in lieu of 40 dwelling units with one point of access **ITEM 48**

On January 5, 2006, the Planning Commission approved an Initial Commercial Development Plan for the Century Condominium Development to construct a 96 unit condominium development on the subject property. This item was appealed to the City Council and, subsequently, approved by the City Council on February 6, 2006. The development will consist of two structures with 48 units each to be constructed in two phases. Phase One includes the construction of the collector street that runs along the north lot line and the 48 unit condominium building located along the west end of the property. The collector street will connect with a north-south street to be constructed on an adjacent property as a part of the "Founder's Park Development". The applicant has also indicated that Phase Two of the development will not be constructed until a street connection is completed providing a second point of access from the collector street to West Boulevard North.

The property is located west of West Boulevard North on the north side of Philadelphia Street. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Exception to the Street Design Criteria Manual and has noted the following considerations:

Neighborhood Land Use(s)/Street Networking: On March 9, 2006, the Planning Commission approved an Initial Planned Unit Development to allow a mixed use development including family dwelling units and office uses to be constructed on the adjacent property within the Founder's Park Development. In particular, the Initial Planned Unit Development was approved to allow a 48 unit residential condominium building on Lot 1. In addition, three office buildings and five office buildings, respectively, will be located on proposed Lot 2 and Lot 3. The 48 dwelling units approved as a part of the Founder's Park Development and the 48 units approved within Phase One of the Century Condominium Development will result in 96 dwelling units with one point of access until a street connection is made to West Boulevard North or access is provided from the subject property to Philadelphia Street.

As noted above, the Planning Commission and the City Council approved an Initial Commercial Development Plan for the Century Condominium Development to construct a 96 unit condominium development on the subject property. The applicant's site plan submitted, reviewed and approved by the Planning Commission and the City Council identifies a road connection from the subject property to Philadelphia Street along the east lot line. In addition, it was noted during the review of the Initial Development Plan that the City's Major Street Plan identifies this street along the east lot line as a collector street. It was also noted that the City Council recently approved a Tax Increment Project Plan for the construction of a collector street along the north lot line as well as a collector street along the east lot line. The Initial Commercial Development Plan was approved with the stipulation that upon submittal of a Final Commercial Development Plan, construction plans for the two collector streets be submitted for review and approval. In particular, the road construction plans must show the street located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light

STAFF REPORT
May 4, 2006

No. 06SE003 - Exception to the Street Design Criteria Manual to allow 96 dwelling units in lieu of 40 dwelling units with one point of access **ITEM 48**

conduit, water as per the City's Major Street Plan and as per the approved Tax Increment Project Plan or an Amendment to the Tax Increment Project Plan and the Major Street Plan must be obtained. To date, an Amendment to the Tax Increment Project Plan and/or the Major Street Plan has not been obtained.

On April 17, 2006, the City Council approved a Vacation of Right-of-way to vacate West Street located directly south of the subject property and west of the Founder's Park Development. A stipulation of approval as identified in an agreement between the City and the property owner required that a street connection be provided from the north-south commercial street within Founder's Park to Philadelphia Street in order to insure two access streets into the development. As noted above, the applicant has indicated that access from the condominium development to Philadelphia Street will not be provided. Subsequently, the applicant has requested an Exception to allow 96 dwelling units with one point of access.

On August 16, 2000, the Rapid City Council approved an amendment to the Street Design Criteria Manual stating that "...a street shall not provide exclusive access to more than forty (40) dwelling units. A second street access shall be provided when more than forty (40) dwelling units are exclusively accessed from a street."

The intent of the amendment to the Street Design Criteria Manual limiting the number of residences with one point of access is to insure safe ingress and egress into the development during times of an emergency. In particular, the Fire Department has indicated that during times of a fire and/or any other catastrophe such as a flood, one point of access to more than forty dwelling units is not adequate to handle emergency vehicle traffic and residential traffic.

Staff has noted that constructing a street connection from the subject property to Philadelphia Street will provide a second access to the proposed development precluding the need to obtain the exception as requested. Due to the safety issues identified above and the ability to provide a second access street as a part of Phase One of the development, staff is recommending that the Exception to allow 96 dwelling units with one point of access be denied.