

06PD070

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From: "Jim Scull" <jims@scullconst.com

To: <councilgroup@rcgov.org

Sent: Friday, February 16, 2007 7:20 PM

Subject: Evergreen Condo Garages -- No. 06PD070 Planned Residential Development

Jim Scull writes:

Mayor and Council Members:

There is an item forth coming on the Agenda for the Council meeting to be held Monday, February 19, 2007. I would like to address this item below and will be calling those of you I can telephonically reach, to further address this issue.

I am the majority owner in a 32 unit condominium project currently under construction at 1626 Evergreen Drive. This property is located between Evergreen Drive and 32nd Street and is south of Harmony Lane. We received the building permits for the two 16 unit condominium projects on June 9th, 2005, and September 12th, 2005, respectively. The first unit is complete. Thirteen of the sixteen units have sold or are under contract. We have begun the second unit and will complete the excavations when the weather breaks. I would encourage you to drive by these units and view them for yourself or I would be happy to give you a tour. They are nicely set into a residential setting with esthetics which enhance the neighborhood rather than distract from it. In spite of the controversy from the neighbors in close proximity to the project, this is a well thought out and nicely completed project to date.

As an after thought, and at the request of the current owners who have purchased condominiums in the project, we have requested a building permit to add a 12 unit and 6 unit garage structure at the site. Since the initial Building Permits were approved for the two, 16 unit structures, Rapid City has initiated what is known as the "Canyon Lake Overlay". As a result of this "Overlay", a Planned Residential Development plan was required, which in effect requires us to meet the requirements set down in the "Canyon Lake Overlay". We have diligently worked to meet all the additional requirements set down in the "Overlay District". These additional requirements include:

- 1) Setbacks-- Increased from 12 feet to 15 feet
- 2) Design Features--Approval of all exterior finishes
- 3) Development Lot Agreement--Sign an agreement to allow two lots to function as one
- 4) Parking--Increased the parking from 63 spaces to 72 spaces
- 5) Landscaping--Additional requirements met
- 6) Screening--Additional requirements met for a 6 foot fence on North and South boundaries
- 7) Snow Removal--Designated snow removal area which does not interfere with traffic or parking
- 8) Utilities)--Additional requirements have been met
- 9) Drainage requirements--Additional requirements have been met
- 10) Fire Protection--Requirements have been met

The one issue which seems onerous and for which we have requested a waiver is the widening of Evergreen Drive. We requested this be waived by the Planning Commission and this was approved on a 5 to 4 vote. We would ask the Council to concur with the Planning Commissions recommendation.

The "Canyon Lake Overlay" calls for a 27 foot driving surface. Evergreen Drive currently has a 24 foot driving surface. The actual street width is 27+ feet if you measure from curb flow line to curb flow line. By City standards they do not take into account the curb width in calculating the street width. In this particular street the actual asphalt paved area is currently 24 feet plus 3 feet of concrete curb surface for a total street width exceeding 27 feet.

I also believe that the disruption to the neighborhood to take out curb and gutter, and asphalt paving to accomplish the task would be very challenging. I'm not clear whether we would be required to take 1 1/2 feet from each side or 3 feet from one of the sides, but either way the pain is not worth the gain. Neighbors on either side or both sides, which ever it is, are going to be very happy with the disruption, particularly when they see the minimal change in the street width. I'm challenged to believe this will be perceived as a positive accomplishment on the part of the City. Also, the street will then be 27 or 30 feet wide for 450 feet, from Canyon Lake Drive to our driveway, and the remainder, 1600+ feet, is 24 or 27 feet depending on how you want to measure it.

I have worked hard to meet all the stipulations as set forth in the "Canyon Lake Overlay". I am not adding population or density to the lot. I'm simply adding garages in lieu of open parking stalls. I believe this adds character and esthetics to the project and to the neighborhood as a whole. To be forced to widen a street to receive a building permit for the building of the garages seems unfair and unreasonable in light of the character of the requested improvement to the neighborhood and the lack of increased density.

I would ask that you review this issue with these thoughts in mind. I ask you to concur with the Planning Commission's decision and waive this stipulations to the Planned Residential Development for the partial widening of Evergreen Drive at the expense of the developer.

Thank you for your considerations.

Regards,  
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