

STAFF REPORT
October 7, 2010

No. 10OA014 - An Ordinance to establish the M Hill Overlay Zoning District by adding Chapter 17.64 to Title 17 of the Rapid City Municipal Code **ITEM**

GENERAL INFORMATION:

APPLICANT	City of Rapid City
REQUEST	No. 10OA014 - An Ordinance to establish the M Hill Overlay Zoning District by adding Chapter 17.64 to Title 17 of the Rapid City Municipal Code
DATE OF APPLICATION	9/10/2010
REVIEWED BY	Karen Bulman / Karley Halsted

RECOMMENDATION:

Staff recommends that the Ordinance to establish the M Hill Overlay Zoning District by adding Chapter 17.64 to Title 17 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS: On August 26, 2010, the Planning Commission authorized staff to proceed with preparing a draft of an overlay zoning district to address some of the conflicts between existing single-family residences and new multi-family development in the M Hill neighborhood area.

Previously, a request to change the land use designation from Low Density Residential to Medium Density Residential in the M Hill area was a concern to existing residents in the area due to the increase in traffic and the ability of the topography to support medium density residential land uses. As a result of these concerns, the Growth Management Department held an Open House at the Horace Mann Elementary School to discuss a potential overlay district for the M Hill area. Based on comments received from the property owners in the area affected by an overlay district, staff drafted the proposed M Hill Overlay Zoning District Ordinance.

The Overlay District allows existing neighborhoods to continue as development expands and would address conflicts such as: traffic, open space, off-street parking, and other issues associated with the expansion of development in this specific area. Based on a request to reduce the large parking lots in the front of multifamily structures, staff has included a restriction to not allow large parking lots in the front yard setback to help minimize the impact of new development in the existing neighborhood and maintain the residential character of the area.

STAFF REVIEW: Staff reviewed the ordinance and noted the following issues or comments:

Streets: The streets in many of the areas are narrow and increased traffic would generate additional traffic congestion. Additional concerns have been expressed with on-street parking on the narrow streets occurring as a result of multifamily development. This ordinance requires that any street access to a property considered for multi-family dwelling units of three or more must meet the City's Street Design Criteria Manual. This provision

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could potentially require the street to be widened adjacent to the property prior to it being developed with multifamily residential uses. In many cases this could require the developer to obtain additional right-of-way or preclude multifamily development. This provision is based on comments received from area residents regarding safety concerns associated with narrow streets and the impact of the increased density of multifamily development.

Planned Development Designation: The draft ordinance requires that a Planned Residential Development plan be approved prior to the construction of multifamily dwelling units. A \$250 application fee for the Planned Residential Development, \$20 for a property owners list to notify surrounding property owners, and a \$40 deposit to post a sign, is required. Additionally, the notification letters must be sent by certified mail at a cost of approximately \$5.50 per letter to be paid by the applicant. Numerous property owners indicated that they felt it was appropriate for the surrounding property owners to be notified and have an opportunity to address concerns with any proposed multi-family residential developments. The Planned Residential Development requirement would provide notification to property owners and would provide review by the Planning Commission for any multifamily residential development.

Set back regulations: The proposed ordinance will require an additional 3 foot side yard setback for development in the Medium Density Residential District of three or more residential dwelling units of two stories or more. The current requirement is 12 feet and the Overlay District Ordinance will require 15 feet. In High Density Residential Districts, the side yard for structures not exceeding five stories, an additional 3 feet of side yard is required and if exceeding five stories, an additional 4 feet is required. In all other districts located within the overlay district, the side yard requirement will not change as the Overlay District specifically is written to mitigate the impacts of multifamily development.

Density: For any multi-family dwelling of three or more units, the lot size for each additional unit under the Overlay District will be 2,000 square feet per dwelling unit. The requirement now is 1,500 square feet per dwelling unit. Adding the additional 500 square feet required per dwelling unit will reduce the density of the proposed development. The reduction of units allowed in the development will thereby reduce the negative impacts of additional vehicles and traffic from the development.

Lighting: All outdoor lighting will be reflected within the boundaries so as to not create a hazard or a nuisance to adjoining properties by having lights shining onto residential properties or on public streets. There will be no lit signage or internally lit signs. Signs that are lit at night create a commercial atmosphere. This section of the proposed ordinance will help to promote the residential atmosphere of the neighborhood.

Landscaping: An additional landscape requirement has been included in the Overlay District. For multifamily structures of three or more units, a streetscape landscaping buffer of 10 feet in the front yard is required. The additional landscaping will aesthetically enhance the development and will help to mitigate any adverse effects of multifamily residential structures adjacent to single family residential structures.

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Screening: For the multi-family dwellings of three or more, a 6 foot screening fence is to be placed along the side and rear yards adjacent to single, duplex and townhouse property. In addition, heating and cooling systems are to be screened if adjacent to single family dwellings. The additional screening will help to mitigate any adverse effects of multifamily residential structures adjacent to single family residential structures.

Snow and Garbage areas: For the multi-family dwellings of three or more, a snow removal area and a garbage collection area must be designated. The designated garbage collection area must be screened. Providing the additional spaces for snow removal and garbage will keep those activities from being located in the parking lots where parking is generally at a premium.

Parking: Current regulations require that all multi-family dwelling units provide 1.5 off street parking spaces per dwelling unit. The Overlay District will require 2 parking spaces per dwelling unit. In addition, additional guest parking will be required at a rate of one space per four dwelling units. The additional parking spaces per dwelling unit and the additional parking spaces for guests required in the draft ordinance will help mitigate the issue of on-street parking in narrow streets within the M Hill area. In addition, a restriction has been included to not allow large parking lots in the front yard setback. This will help minimize the impact of new development in the existing neighborhood and maintain the residential character of the area.

The draft M Hill Overlay District ordinance will adopt a specific set of standards for expanding development in the area without imposing additional restrictions on the balance of the established areas of the community. The draft ordinance is the result of meetings with property owners and residents of the area and it specifically addresses the concerns and issues of those residents. The ordinance has been drafted at the direction of the Planning Commission. As such, staff recommends approval of the proposed ordinance to establish the M Hill Overlay Zoning District regulations.