

STAFF REPORT

November 21, 2001

No. 01PD049 - Major Amendment to a Planned Residential Development to increase the density and allow a nursing home **ITEM 12**

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 be approved with the following stipulations:**

Engineering Division Recommendations:

- 1. Prior to issuance of a Building Permit, plans shall be submitted showing that no grading or improvements will be made within the existing drainage easement or drainage information shall be submitted that demonstrates that adequate capacity will be maintained if any improvements or grading is proposed within the existing drainage easement;**

Fire Department Recommendations:

- 2. That any further expansion of the structure would require that the sprinkler system be upgraded from a 13D sprinkler system to a 13R sprinkler system;**

Building Inspection Department Recommendations:

- 3. Prior to issuance of a Building Permit the current door locking system shall be replaced with a system that will conform with the requirements of the Uniform Building Code for an R-1 occupancy or an alternate system approved by the**

STAFF REPORT

November 21, 2001

No. 01PD049 - Major Amendment to a Planned Residential Development to increase the density and allow a nursing home ITEM 12

Building Official;

4. That the use of the building shall continually comply with all requirements of the Uniform Building Code;

Urban Planning Division Recommendations:

5. That all requirements of the Off-Street Parking Ordinance and Landscaping Ordinance shall be continually met; and,
6. That any changes to the approved Planned Residential Development be approved in accordance with the requirements of Section 17.50.070 of the Rapid City Municipal Code.

GENERAL COMMENTS: This request was continued from the October 25, 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. (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 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

STAFF REPORT

November 21, 2001

No. 01PD049 - Major Amendment to a Planned Residential Development to increase the density and allow a nursing home **ITEM 12**

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.

The applicant's Medical Director has provided documentation that the facility will be used strictly as a residential group care facility that provides assistance to residents that are capable of achieving mobility sufficient to exit the facility in case of an emergency. In addition, the applicant's Medical Director noted that the license issued by the State of South Dakota requires that the residents of the facility meet these minimum capabilities. The Director also noted that fire emergency evacuation drills are conducted during Department of Health inspections to assure the inspectors that the residents are capable of exiting the facility in the case of an emergency.

The applicant has indicated that the existing door locking system will be replaced with a locking system that releases the door locks when the fire alarm is activated. The Building Official has indicated that with the installation of this type of locking system and the capability of the residents of the facility to achieve mobility sufficient to exit the structure, the structure conforms with the requirements of the Uniform Building Code for an R-1 occupancy.

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.

As of this writing, the receipts from the certified mailings have been returned. The Use On Review sign has been posted on the property.