

STAFF REPORT
September 9, 2004

**No. 04PD043 - Planned Residential Development - Final ITEM 34
Development Plan**

GENERAL INFORMATION:

PETITIONER	Kent Kennedy for Bart and Helen Boos
REQUEST	No. 04PD043 - Planned Residential Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	The east 5 feet of Lot 12; Lots 13 and 14; the east 5 feet and the west 20 feet of the south 29.66 feet less the south 0.9 feet of Lot 16; Lots 17-18 less the south 0.9 feet all of Lot I of the NW1/4 NE1/4 known as Harter Tract (Clower), all in Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.40 Acres
LOCATION	655 Plum Tree Lane
EXISTING ZONING	Medium Density Residential District w/Planned Development
SURROUNDING ZONING	
North:	Office Commercial District w/Planned Development Designation
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Office Commercial District w/Planned Development Designation
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/30/2004
REVIEWED BY	Todd Tucker / Sig Zvejnieks

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

- 1. Prior to initiation of construction, a Building Permit shall be obtained for the proposed structure and a Certificate of Occupancy shall be obtained prior to occupancy of the proposed structure;**
- 2. The proposed structure shall conform architecturally to the plans and elevations submitted;**
- 3. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;**
- 4. The parking plan shall continually comply with all requirements of the Zoning Ordinance;**

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5. Access to each of the on-site parking areas shall be through legal access easements or platted right-of-way;
6. Prior to issuance of a Certificate of Occupancy, all access to on-site parking areas shall be paved;
7. The proposed new structure shall be fully fire sprinkled and alarmed;
8. All applicable provisions of the Uniform Fire Code shall be continually met;
9. Prior to issuance of a Building Permit, a revised site plan shall be submitted showing cleanouts spaced at 100 foot intervals along the service line;
10. Prior to issuance of a Building Permit, the applicant shall provide details for erosion and sediment control during grading and construction;
11. Prior to initiation of construction, an Air Quality Permit shall be obtained;
12. Prior to issuance of a Building Permit, calculations for the three proposed retaining walls shall be submitted for review and approval;
13. Prior to Planning Commission approval a Certificate of Occupancy shall be obtained for the existing tri-plex located on the subject property; and,
14. The Planned Residential Development 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.

GENERAL COMMENTS: (This Staff Report was revised on August 27, 2004. All revised and/or added text is shown in bold text.) This item was continued at the August 26, 2004 Planning Commission meeting to allow the applicant time to comply with all stipulations of approval for the Initial Development Plan.

The subject property is located east of Sheridan Lake Road, north of Plum Tree Lane and south of Clower Lane. On June 10, 2004 the Planning Commission approved a Planned Residential Development – Initial Development Plan with eight stipulations for the subject property. Those stipulations of approval were as follows:

1. Upon submittal of a Final Residential Development Plan, a sign package shall be submitted for any on site signage;
2. Upon submittal of a Final Residential Development Plan, the site plan shall be revised to show a minimum of one paved access to all off street parking areas;
3. Upon submittal of a Final Residential Development Plan, documentation shall be provided showing that the paved road providing the legal access to the off-street parking areas on the property shall be located in public right-of-way or a recorded easement;
4. The proposed new structure shall be fully fire sprinkled and alarmed;
5. Upon submittal of a Final Residential Development Plan, calculations and design fire flows for the proposed development shall be submitted for review and approval;
6. Upon submittal of a Final Residential Development Plan, a revised site plan shall be submitted showing sewer connection to a main;
7. Upon submittal of a Final Residential Development Plan, a final drainage plan and calculations shall be submitted for review and approval; and,
8. Prior to submission of the Final Development Plan application, the applicant shall bring the existing three unit apartment building into compliance with all applicable City ordinances and obtain a Certificate of Occupancy for the three dwelling units.

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The applicant is now requesting approval of a Planned Residential Development – Final Development Plan to allow for two apartment buildings to be located on the above legally described property.

STAFF REVIEW: Staff has reviewed the Planned Residential Development and has noted the following issues:

Design Features: The Final Residential Development Plan identifies the building footprints of the existing and proposed structures. The existing structure has footprint of 960 square feet and the proposed structure has a footprint of 3,248 square feet. The proposed setbacks are in compliance with the Rapid City Municipal Code. The applicant's building elevations show the maximum height of the structures to be 24 feet, which is in compliance with Section 17.12.070 of the Rapid City Municipal Code.

Lighting/Signage/Landscaping: The applicant's site plan shows parking lot lighting to be located on the exterior walls of the structures. The applicant's site plan does not indicate the location of any on-site signage. There is no on-site signage proposed for the property. The proposed Planned Residential Development will require 13,327 landscaping points be provided. The applicant's landscape plan shows 14,900 landscaping points being provided with 8,420 points located within 20 feet of the parking lots which is in compliance with Section 17.50.300 of the Rapid City Municipal Code.

Parking Plan: The Rapid City Municipal Code requires that 12 off street parking stalls be provided for the proposed development. The applicant's site plan shows three separate parking areas. The applicant is proposing to provide five off street parking stalls for the existing three unit apartment building located on the southern portion of the subject property. The applicant is proposing to provide eight off street parking stalls for the proposed new five unit apartment building located on the northern portion of the subject property. The applicant's site plan shows a total of 13 off street parking stalls with one stall being a "van accessible" handicapped stall which meets the requirements of Section 17.50.270 of the Rapid City Municipal Code.

On September 3, 2004 the applicant submitted a revised site plan showing the removal of one off street parking stall. The revised parking plan showing 12 off street parking stalls with one being a "van accessible" handicapped stall meets the minimum requirements of Section 17.50.270 of the Rapid City Municipal Code.

Paved Access: The applicant's site plan identifies three accesses to the proposed Planned Residential Development. There is an existing driveway access from Plum Tree Lane to the existing parking lot. Staff noted that Plum Tree Lane is currently paved. However, the pavement ends prior to the section of road abutting the subject property. A second driveway access is proposed on the west side of the subject property from Clower Lane. The third driveway access is proposed from the platted access right-of-way located adjacent to the north side of the property, also known as Clower Lane.

Staff noted that Section 17.50.270 requires that access to parking areas for multi-family dwelling units be paved. Staff noted that not all access to the off street parking areas is currently paved. The applicant's site plan shows all accesses to the proposed off street

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parking areas to be paved.

Staff noted that the proposed pavement section adjacent to the north side of the property is less than 20 feet. The proposed width of the street is 20 feet from face of curb to face of curb leaving only 17 feet of paved surface. However, the proposed street width does meet the minimum required access to accommodate Fire Department apparatus.

Legal Access: Staff noted that the access to each of the parking areas shall be through legal access easements or platted right-of-way. The applicant has submitted documentation showing the access to each of the parking areas is physically located in either public right-of-way or a recorded access easement.

Fire Safety: Staff noted that the Uniform Fire Code requires that multi-level structures provide adequate access for a ladder truck to access the structure or the structure shall be fully fire sprinkled and alarmed. Staff noted that the right-of-way widths providing access to the structure will not accommodate a ladder truck. As such, the proposed new structure shall be fully fire sprinkled and alarmed.

Water and Wastewater Systems: The submitted calculations and design fire flows for the proposed development appear to be adequate for the site. The applicant has submitted plans showing the sewer connection to a main. Prior to issuance of a Building Permit a revised site plan must be submitted showing cleanouts spaced at 100 foot intervals along the service line.

Grading and Drainage: The applicant submitted a final drainage plan and calculations for the proposed project. Staff noted that the grading plan submitted does not show any erosion control. Prior to issuance of a Building Permit, the applicant must provide details for erosion and sediment control during grading and construction.

Air Quality Permit: Staff noted that an Air Quality Permit must be obtained prior to initiation of construction.

Retaining Walls: The applicant's site plan shows the construction of three new retaining walls on the subject property. Staff noted that no calculations were submitted for the proposed retaining walls with this application. Prior to issuance of a Building Permit, calculations for the three proposed retaining walls must be submitted for review and approval.

Existing Tri-Plex: A stipulation of approval from the Initial Development Plan required that the applicant bring the existing three unit apartment building into compliance with all applicable City ordinances and obtain a Certificate of Occupancy for the three dwelling units. Staff noted that this requirement has not yet been completed. The applicant has indicated that the Building Official will be inspecting the building. However, that inspection will not occur until after the August 26, 2004 Planning Commission meeting. As such, staff recommends that this item be continued to the September 9, 2004 Planning Commission meeting to allow the applicant to comply with the stipulations of approval for the Planned Residential Development – Initial Development Plan.

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On August 25, 2004 a Final Inspection was conducted for the existing tri-plex located on the subject property. Staff noted that there were corrections required for the building, to bring in into compliance with the Uniform Building Code. Those corrections must be completed before a Certificate of Occupancy can be issued for the structure.

The applicant indicated that the required corrections from the August 25, 2004 Final Inspection have been completed. Staff noted that a Final Inspection will be conducted on the existing tri-plex on September 7, 2004 to insure that the tri-plex is in compliance with all provisions of the Uniform Building Code.

Notification Requirement: The required sign has been posted on the property. However, the receipts for the required certified mailings have not been returned as of this date. Staff will notify the Planning Commission at the August 26, 2004 Planning Commission meeting if this requirement has not been met.

Staff noted that the receipts and green cards from the required certified mailings have been returned.

Staff is recommending approval of the Planned Residential Development – Final Development Plan with the previously stated stipulations.