

Planning Commission Meeting - April 7, 2005

Bobby & Genae Sundby Comments Regarding Evergreen Townhome Project

We request that this agenda item be either approved as-is or postponed until the first Planning Commission meeting in May. So that we can work further with Growth Management on the specific areas that are currently being opposed.

We also want to apologize for not being present at the previous meetings, as we were not aware that our item would be discussed, as it was recommended it be postponed by staff. We are not career developers, but a working family with children and other jobs.

We want to present to you a brief history of our effort and investment in this project.

- Bobby started this process 8 years ago by researching and later purchasing property in 2002, in a favorite neighborhood. His intent was to invest in a good quality real estate project he could be proud of. The price for Lot B was \$80,000 and included a very small poorly maintained home with foundation problems and a dirt floor in the garage. For tax and financing reasons, values were arbitrarily assigned to each parcel.
- During subsequent years, meetings were held with various high level city officials from 3-4 departments. Written documentation from these officials has been provided for you.
- Based on these assurances, we continued to invest in the project. Bobby entirely cashed out our retirement savings to fund the purchase of 1626 Evergreen Dr.
- We purchased Evergreen knowing that there was water in the basement. We would have never purchased this property had it not been for these assurances and knowing the MDR zoning regulations. Overall, we will have invested or borrowed approximately \$175,000-\$200,000 in the Evergreen Townhome project.

Throughout discussions of this property it must be emphasized that we proposed very upscale twin homes on Lot B, consisting of 14 dwellings and nothing close to the 47 allowed by zoning regulations and the written assurances above. We did this strictly for the benefit of the neighbors. Each townhome, will be of a quality similar to that of Hart Ranch, that typically would only attract owner-occupants. The entrance off Evergreen Drive with the large evergreen trees, considerable landscaping and earth-tone siding with brick exteriors will be an attractive site.

We also proposed an 8-plex on the west end of the Evergreen property that is also well below maximum density. We oversee all our rental properties personally and do not let our properties go in disrepair, nor do we encourage transient residents.

Initially, as we had our meetings with city planners and engineers, we were pleased to be part of helpful discourse regarding a proposal that would a very appropriate use for the land. Again, we chose a project that includes less than 1/3rd of the units legally allowed and opted to go through the PRD process to accomplish it. We feel like the proposal that was finally made was as close to the original guidance given by staff as possible.

However, in the final months of developing the final documents for our proposal we have had minimal guidance from staff and it seems we still need to sit down and meet with staff to iron out some of the remaining issues being objected to. We sincerely hope, for the benefit of everyone, that with more time, we can work out some minor tweaking of the plans.

We would also like to add that we have not proposed this project under any LLC name or otherwise tried to conceal our ownership. We have tried to listen to the concerns of neighbors, offered them an e-mail address with which to communicate their ideas and concerns. As well as sending a letter stating our intentions and making an effort to inform and communicate with them. We received only two emails and a couple phone calls from the 83 recipients of our letter.

It appears that the major point of contention with the project is the width of the property. At 101.9 feet, it is the same width that includes all of Harmony Lane and the entire width of the properties on the south side of Harmony Lane. However, our project will serve considerably fewer dwellings than Harmony Lane.

Finally, we want to re-emphasize our desire to be good neighbors and to develop a high quality property that will improve surrounding property values. We hope that after hearing our comments, you will feel the same.

Thank you for listening.

05PD004

Bobby Sundby

From: "Fisher Vicki" <Vicki.Fisher@rcgov.org>
To: <bobby@sunbee.com>
Sent: Thursday, January 29, 2004 9:08 AM
Subject: Lot B of Lot 14 less N80' of E255', Section 4, T1N, R7E

Bobby,

The above legally described property consists of 1.76 acres and is currently zoned Medium Density Residential District. As such, a 47 unit apartment building could be constructed on the site if constructed in compliance with the Rapid City Municipal Code and the Uniform Building and Fire Codes

Subdividing the property in order to construct townhomes may require variances from the Zoning Board of Adjustment as well as through the platting process. Constructing townhomes on the property would greatly reduce the number of total units on the property depending upon the layout of the development and, as such, would potentially have less of an impact on the surrounding properties.

I would be glad to meet with you and your consultant to discuss the procedures necessary in submitting a Layout Plat and the necessary Variances and Special Exceptions.

Thanks,
Vicki Fisher
Urban Planner III
Growth Management Department

1/29/2004



CITY OF RAPID CITY

Engineering Division

300 Sixth Street

Rapid City, SD 57701-2724

Telephone: 605-394-4154 Fax: 605-394-6636

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david.johnson@rcgov.org

June 25, 2003

Mr. Bobby Sundby
2400 West Main
Rapid City, SD 57702

Re: Proposed Harmony Lane Apartments
Schamber Subdivision
near 32nd Street and Harmony Lane

Dear Mr. Sundby:

This letter is to summarize our conversations regarding municipal infrastructure, traffic access, and circulation from city streets to the proposed development referenced above. The proposed apartments would consist of approximately 38 two-bedroom units located on property that would have frontage on both Harmony Lane (through Lots 29-30 of Willard Subdivision) and 32nd Street (through the South 21.9 feet of Lot B of Lot 14 of Schamber Subdivision). After reviewing the development with you and Doug Adelman, City Traffic Engineer, on June 20, 2003, the following conditions were agreed upon:

- The proposed development would be allowed to take full access (entrance/exit) from Harmony Lane. The developer of the project may be required by the City to install signage to restrict parking on Harmony Lane, either at the time of initial development or after traffic patterns have developed from the completed facilities.
- Access from 32nd Street would be restricted to entrance only. Presently there is a screening wall on the property to the South of this access location (3204 Leland Lane) that obstructs the sight distance necessary to allow outbound traffic from the apartment development to use this location. Two parcels to the east of your property currently use this location for full access to the city street, and would need to continue to do so, however, we believe that it would result in safety problems to increase the level of outbound/exiting traffic at this location unless the sight distance obstruction was removed.
- Drainage from the development will not be allowed to discharge directly onto the streets. It will be necessary to collect all drainage on the property and convey it in a new storm sewer (constructed as part of this development) to existing storm sewer on 32nd Street at either Leland Lane or Harmony Lane. It may be necessary to provide on-site detention (for instance, in your parking area) to meter the storm flows such that the capacity of existing system components is not exceeded. A drainage plan and design by a registered engineer will be required prior to the issuance of the building permit.



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- Sanitary sewer is in place in both Harmony Lane and 32nd Street. Costs associated with connection to the system at either location are the responsibility of the developer. Water also exists on both Harmony Lane and 32nd Street. You will be required to install service line(s) to the property and demonstrate that the system will provide fire flows as required by the Fire Department. You will be required to have a design by a registered engineer for any extension of sewer or water mains identified as needed (as either public or private systems)

If you have any questions, or believe the items summarized in this letter are not in accordance with our discussions, please let me know.

Sincerely,

CITY OF RAPID CITY



David L Johnson, PE
Project Engineer

05PD004



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

PLANNING DEPARTMENT

300 Sixth Street

Jeff Marino, Planner
Urban Division
city web: www.rcgov.org

Phone: 605-394-4120
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August 15, 2003

Bobby Sunby
2400 West Main
Rapid City, SD 57702
Fax (605) 342-9112

Re: Lot B of Lot 14 Less E255' & Less S21.9'


Dear Mr. Sunby:

As per our conversation on August 14, 2003 concerning Lot B of Lot 14 Less E255' & Less S21.9', here is the letter you had requested verifying the setbacks. The property is zoned Medium Density Residential, and the minimum required front yard setback in the Medium Density Residential zoning district is 25 feet. The minimum required 25 foot setback will need to be maintained on the two sides of the lot where access will be taken, the north side and the east side.

It has been the practice of the City of Rapid City to allow the developer to pick the minimum required side yard and the minimum required rear yard on lots in which there are two front yards. The minimum required side yard setback will be 12 feet for a multiple story structure and 8 feet for a one story structure. In addition, the minimum required rear yard setback will be 25 feet.

If you have any further questions please contact me at (605) 394-4120.

Sincerely,


Jeff Marino
Planner
City Planning
City of Rapid City



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Wednesday, February 16, 2005

Dear Neighbors,

Greetings. This letter is to provide you with more information regarding the Evergreen Townhomes and 8-unit apartment building project which is in works with the City. You will be receiving an official letter from the City soon regarding this project. The project is located at 1626 Evergreen Drive and stretches east across a vacant lot to 32nd Street.

The townhomes are two per building (six buildings – twelve units total), similar to the townhomes at Hart Ranch. They will be constructed by a very reputable builder and will be individually offered for sale to the public. Each unit is designed as a split entry with approximately 1,300 square feet on each level or approximately 2,600 total square feet. The exteriors will be a choice of any of three earthtone colors of *CANEXEL* siding with any of three neutral color brick knee-walls. Each will have a two-car garage. The 8-unit apartment building will be of the same exterior with additional brick. We intend to own the apartment building long term and do our best to ensure that the eight families or individuals are good people and an asset to the neighborhood. The south 21.9' will be an access easement. A privacy fence is proposed along the majority of the south property line.

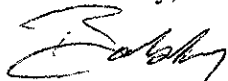
We, like you, are very fond of this area. This plan is the result of our desire to be in harmony with the neighbors and the area. Our work on this project began several years ago and we have a significant investment in time and finances. *As you may be aware the density for these two properties under the pre-overlay guidelines which are in effect at this time of the submittal of this project, allow for approximately 65 apartment units. Again, this was/is not our intention and we know it is not what the neighborhood wants. We hope that you will appreciate that it is a local musician from Calvary Lutheran Church and not an out-of-state developer who is currently the owner of this land.*

We strongly feel that this will be a project of which the area will be proud. The large evergreen trees coupled with the maintenance free wood-grain and brick neutral exteriors will be an attractive combination. It will still be a quiet and beautiful area. We also feel that if it affects property values in the area, it will increase them as these units are projected to appraise for more than \$200,000 each.

We would also be happy to accommodate the recipients of this letter, first, on a waiting list to purchase a townhome.

Thank you much for your consideration of this information. If you have ideas, questions or suggestions you may email them to: evergreenproj@yahoo.com

Sincerely,



Bobby and Genae Sundby

RECEIVED

FEB 16 2005

Rapid City Growth
Management Department