

STAFF REPORT
May 26, 2005

No. 05PD004 - Planned Residential Development - Initial and Final Development Plan **ITEM 61**

GENERAL INFORMATION:

PETITIONER	Britton Engineering for Robert and Genae Sundby
REQUEST	No. 05PD004 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot A and Lot B of Lot 14 less the north 80 feet of the east 225 feet, Schamber Subdivison, SE1/4 SE1/4 Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .72 Acres
LOCATION	1626 Evergreen Drive
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/28/2005
REVIEWED BY	Todd Tucker / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial and Final Development Plan be **denied**.

GENERAL COMMENTS: (May 18, 2005 Update) This item was continued at the April 7, 2005 Planning Commission meeting to allow the applicant time to submit a revised site plan and to visit with staff to discuss alternative options for the development of the site. On May 13, 2005, staff spoke with the applicant about the other development possibilities for the subject property. However, as of this writing, the applicant has not submitted any revised drawings or additional information regarding the Planned Residential Development on the subject property. As such, staff is recommending that the Planned Residential Development – Initial and Final Development Plan be denied.

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(March 30, 2005 Update) This item was continued at the March 24, 2005 Planning Commission meeting to allow the applicant time to submit a revised site plan and additional required information. On March 24, 2005 the applicant submitted a revised set of drawings for the Planned Residential Development.

(March 16, 2005 Update) This item was continued at the February 24, 2005 Planning Commission meeting to allow time for the applicant to make the necessary revisions to the submitted plans and to submit the additional required information.

On March 15, 2005 the applicant submitted revised site plan drawings and some of the additional required information. Staff has not had time to adequately review and address the revised drawings and additional information submitted. As such, staff is recommending that this item be continued to the April 7, 2005 Planning Commission meeting to allow time for staff to adequately review the submitted plan revisions and additional information submitted. Staff has also indicated that more information is needed with regards to the proposed vacation of the existing drainage easement on the subject property and how the applicant is going to accommodate that drainage.

The subject property is located north of Leland Lane and south of Canyon Lake Drive between Evergreen Drive and 32nd Street. The applicant is requesting approval of a Planned Residential Development – Initial and Final Development Plan to allow the construction of a multi-family structure and townhomes.

STAFF REVIEW: The purpose of planned developments is to provide deviation from conventional zoning and subdivision regulations in order to provide optional methods of land development and to encourage imaginative urban design. Planned developments also allow a mix of land uses which are compatible and well integrated. They provide an adequate review procedure which promotes the proper development of environmentally sensitive areas and they are to promote compatibility with adjacent land use and available public facilities.

Staff has reviewed the Planned Residential Development – Initial and Final Development Plan with regards to the established purpose and criteria for a planned development.

Demolition Permit: As previously indicated the applicant is proposing to remove the existing structure located on the subject property. Prior to any demolition on the property, the applicant must obtain a Demolition Permit.

Building Permit: Staff noted that a Building Permit must be obtained prior to initiation of construction and that a Certificate of Occupancy must be obtained prior to occupying the buildings.

Air Quality Permit: Staff noted that if the area of disturbance exceeds one acre, an Air Quality Permit must be obtained.

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Design Features: The applicant's site plan proposes the construction of six townhouse structures with a total of 12 dwelling units on the subject property. In addition, the site plan proposes that an eight unit multi-family structure will be constructed on the subject property. The total number of proposed dwelling units within the planned development is 20. The submitted typical elevations drawings indicate the townhouse structures will be one story with brick and siding on the exterior. The proposed multi-family structure will be two stories tall with brick and siding on the exterior.

Access: The applicant's site plan identifies that a 21.9 foot wide access right-of-way easement will be provided along the south lot line of the subject property. Staff noted that the proposed development shows future lot lines subdividing the east portion of the subject property into townhouse lots. The proposed access right-of-way easement would not have adequate widths to support the subdivision of the property into individual lots. The Street Design Criteria Manual requires that a minimum 49 foot wide access, built to City street design standards, be provided to all of the lots. As such, staff recommends that a revised site plan be submitted showing the proposed access right-of-way easement with a minimum width of 49 feet and built to City street design standards or that the site plan be revised to eliminate the proposed townhouse structures.

On March 24, 2005 the applicant submitted a revised site plan showing the proposed lot lines removed, leaving the parcel as one lot. However, in 1990, the City of Rapid City conveyed a quit claim deed for the south 21.9 feet of the subject property and retained an easement under, over, through, and across the property for the purpose of maintaining a public street or maintaining, construction, operating, and repairing public utilities. As such, the 21.9 feet access easement must be constructed to City Street Design Standards.

The submitted site plan shows that the proposed access through the property is abutting the rear property lines of the adjacent properties to the south. Staff has concerns about the impact this road will have on the adjacent properties. Staff does not feel that the proposed access through the subject property is compatible with the adjacent land use and will adversely impact the traffic circulation in the area. As such, staff recommends that the Planned Residential Development – Initial and Final Development Plan be denied.

Staff noted that due to the location of the existing screening wall on the south side of the approach and the landscaping on the north side of the access, the approach from 32nd Street would be limited to entrance only. As such, the access from 32nd Street must be signed to indicate entrance only or the sight line obstructions must be removed.

On March 24, 2005, the applicant submitted a site plan showing the approach from 32nd Street as an entrance only. However, staff still has concerns about the safety due to the limited sight triangles of this intersection.

Staff noted that geotechnical information for the recommended pavement section must be submitted for review and approval. In addition, the site plan must be revised to show the sidewalk along Evergreen Drive and 32nd Street being replaced.

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The applicant has submitted the required geotechnical information for the recommended pavement section which has been reviewed and approved by staff. The applicant also submitted plans showing the replacement of sidewalk along Evergreen Drive and 32nd Street.

Setbacks: The applicant has requested that the minimum required front yard setback be reduced from 25 feet to 18 feet to the garage with the main residence having a 25 foot setback from the access right-of-way easement for the townhouse structures. The site plan indicates that an eight foot side yard setback will be provided for the townhouse structures. The townhouse structures are shown with a 25 foot rear yard setback to the main structure and a 19 foot rear yard setback to the decks.

On March 24, 2005, the applicant submitted a revised site plan showing the proposed townhouse structures located 22 feet from the rear property line with the decks located 16 feet from the rear property line. The purpose of rear yards is to insure adequate distances and separation between structures. The primary use of the rear yard is for family or group activities which generally require more room than front yards. Staff noted the City has supported a reduction of front yard setbacks in other Planned Residential Developments with a minimum front yard setback of 18 feet in front of the garage door and a minimum 15 foot setback for the balance of the dwelling unit. A reduction in the rear yard setback will not provide adequate separation between the existing single family residences and the proposed new structures resulting in a mix of land uses which is not compatible. As such, staff recommends that the Planned Residential Development – Initial and Final Development Plan be denied.

The applicant's site plan shows that the proposed multi-family structure will have a front yard setback of 25 feet with a minimum 12 foot side yard setback and a minimum 25 foot rear yard setback for the main structure. The accessory garage and carport will have a minimum side and rear yard setback of five feet. The proposed setbacks for the multi-family structure and accessory garage and carport comply with the minimum requirements of the Rapid City Municipal Code.

Parking: The Rapid City Municipal Code requires that townhouse structures provide two off-street parking stalls for each dwelling unit. The applicant's site plan indicates that each townhouse will have a double car garage which will provide the necessary 24 off-street parking stalls.

The number of off-street parking spaces required for the multi-family structure is identified as 12 spaces with one being a "van accessible" handicapped stall. The applicant's site plan identifies that 14 off-street parking stalls will be provided. Two of the parking stalls will be located within a detached garage and the remaining 12 will be covered by a car port.

Landscaping: The multi-family structure lot of the proposed Planned Residential Development will require that 14,450 landscaping points be provided with a minimum of 7,225 points located within 20 feet of the parking lot. The applicant's landscape plan shows 14,540 landscaping points being provided with 7,340 points located within 20 feet of the parking lot.

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The applicant's landscape plan for the multi-family structure lot is in compliance with all applicable provisions of Section 17.50.270 of the Rapid City Municipal Code. However, as previously indicated, the subdivision of the eastern portion of the subject property into townhouse lots may not be feasible. If the lot the proposed townhouses are located on remains one lot and is not subdivided, a revised landscaping plan must be submitted for review and approval.

On March 24, 2005, the applicant submitted a revised landscaping plan showing that 65,140 landscaping points are being provided for the large lot where the proposed duplexes are located, which exceeds the 64,327 landscaping points required by Section 17.50.300 of the Rapid City Municipal Code.

Lighting: The applicant's site plan indicates outdoor lighting to be located on the exterior of the proposed structures. Staff recommends that all outdoor lighting be arranged or shielded in a way to direct all light into the subject property.

Fencing: The applicant's site plan does not show that any fencing will be provided for the townhouse portion of the development. As previously indicated, the eastern portion of the subject property may not be subdivided into individual townhouse lots in the future. If the lot the proposed townhouses are located on remains one lot and is not subdivided, a revised site plan must be submitted showing a screening fence located along the north property line to mitigate the possible adverse effects on the adjacent single family residences.

On March 24, 2005, the applicant submitted a revised site plan showing a six foot high privacy fence located along the north and south property lines of the subject property. Staff noted that construction easements must be obtained from the adjacent property owners if construction of the fence requires work on adjacent properties.

Signage: The applicant's site plan shows a ground sign located on the multi-family structure lot along Evergreen Drive. The site plan indicates that the proposed sign will be setback from the front property line six feet. Staff noted that Section 15.28.200 of the Rapid City Municipal Code allows on-premises ground signs to have a zero setback from the right-of-way so long as the bottom of the sign is a minimum of 10 feet clear from grade. The proposed sign is located approximately six feet from the front property line along Evergreen Drive. The submitted elevation drawing indicates the proposed sign will have an overall height of five feet. As such, a revised site plan must be submitted showing the proposed sign to be located a minimum of 10 feet from the front property line.

On March 24, 2005 the applicant submitted a revised site plan showing the proposed ground sign located a minimum of 10 feet from the front property line as it abuts Evergreen Drive.

The subject property is permitted 283.8 square feet of on site signage. The total square footage of signage proposed is 20 square feet which is less than the 283.8 square feet maximum that is permitted by the Sign Code. Any additional signage on the subject property will require a Major Amendment to the Planned Residential Development.

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Grading: Staff noted that no grading plan was submitted with the application. Staff recommends that a grading plan and geotechnical information be submitted for review and approval.

On March 24, 2005, the applicant submitted a grading plan showing the required geotechnical information. Staff noted that all of the grading must be contained on the subject property or construction easements must be obtained, prior to issuance of a Building Permit, from the adjacent property owners to perform any grading on their properties.

Drainage: Staff noted that a drainage plan was not submitted with the application. Staff recommends that a drainage plan be submitted showing how drainage will be accommodated from the north if the existing 15 foot wide drainage easement is vacated on Lot B as the submitted site plan shows a structure located over the existing easement. Staff also noted that a note must be placed on the plans indicating a storm sewer connection to the existing drop inlet in Leland Lane. In addition, the drainage plan must address the need for any on-site detention that may be required to prevent drainage directly onto the adjacent streets.

On March 15, 2005, the applicant submitted a drainage plan for review. Staff noted that the applicant has adequately addressed how drainage will be accommodated if the existing drainage easement is vacated. However, due to the grade changes shown on the revised plans submitted on March 24, 2005, the applicant must provide calculations of on-street detention to verify detention is within the curb lines prior to Planning Commission approval.

Utilities: Staff noted that an access easement will be required for the water main and appurtenances. Staff also noted that the site plan must be revised to show the curb stops to the proposed dwelling units within an access easement. In addition, the site plan must be revised to show the sanitary sewer service lines and cleanouts for each dwelling unit.

On March 24, 2005, the applicant submitted a revised site plan showing the curb stops to the proposed dwelling units within the access easement and sanitary sewer lines and cleanouts for each dwelling unit.

Black Hills Power indicated that they have overhead services that cross a portion of the subject property. Black Hills Power staff indicated that the existing overhead services will potentially need to be relocated.

Fire Safety: Staff indicated that the proposed access right-of-way easement appears to be adequate to accommodate Fire Department apparatus. Staff also noted that one fire hydrant will be required for the proposed development with the possibility of an additional hydrant required on-site. The applicant has indicated that the multi-family structure will be fully fire sprinklered as required by the 2003 International Fire Code. Staff noted that address numbers must be posted on the structures as to be plainly visible from the street. The address numbers must be a minimum of 12 inches in height and contrast with their background color.

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Neighborhood Impact: Staff noted that they have received several calls from property owners in the immediate area voicing concern about the impact this development may have on the neighborhood. In addition, staff has concern about the feasibility of a development of this size and the impact it may have on adjacent properties within the neighborhood. Staff recommends that the Planning Commission consider the concerns that the adjacent property owners have towards the impact this development may have on the neighborhood.

Alternative Plans: Staff noted that on March 29, 2005, the applicant submitted a Building Permit application for the subject property. However, the plans submitted for the Building Permit are considerably different than those submitted for this Planned Residential Development. The Building Permit Plans show that two 16 unit apartment complexes are proposed for the subject property. One structure to be built on Lot A and one on Lot B. The proposed apartment complexes are two stories in height and are located 12 feet from the north property line. Staff will review the plans for the Building Permit as a separate review from the Planned Residential Development.

Notification: As of this writing, the required sign has not been posted on the property and the receipts from the required notification of surrounding property owners have not been returned. Staff will notify the Planning Commission at the February 24, 2005 Planning Commission meeting if these requirements have not been met.

Staff noted that the required sign has been posted on the subject property and all of the receipts from the required notification have been returned.

Staff is recommending that the Planned Residential Development – Initial and Final Development Plan be continued to the March 24, 2005 Planning Commission meeting to allow time for the applicant to make the necessary revisions to the submitted plans and to submit the additional required information.

As previously indicated the applicant submitted revised drawings with some of the additional required information on March 15, 2005. Due to the late submittal of the information staff has not had adequate time to make a full review of the submitted information. As such, staff recommends that this item be continued to the April 7, 2005 Planning Commission meeting to allow staff time to adequately review the revised plans and make a recommendation.

Staff recommends that the Planned Residential Development – Initial and Final Development Plan be denied as it does not meet the purpose and criteria of a planned development.