

# STAFF REPORT

May 4, 2006

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## **No. 06PD022 - Major Amendment to a Planned Residential Development      ITEM 21**

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### GENERAL INFORMATION:

PETITIONER	Kennedy Design Group, Inc for Bart and Helen Boos
REQUEST	<b>No. 06PD022 - Major Amendment to a Planned Residential Development</b>
EXISTING LEGAL DESCRIPTION	The east five feet of the Lot 12 and Lots 13 and 14; the east five feet and the west 20 feet of the south 29.66 feet less the south 0.9 feet of Lot 16; Lots 17 and 18, less south 0.9 feet, all of Lot 1 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 .40 acres
LOCATION	655 Plum Tree Lane
EXISTING ZONING	Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Commercial Development)
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Office Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/7/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION: Staff recommends that the Major Amendment to a Planned Residential Development be approved with the following stipulations:

1. Prior to initiation of construction, a Building Permit shall be obtained for the proposed structure, a Certificate of Occupancy shall be obtained prior to occupancy of the proposed structure and all plans shall be stamped by a Registered Professional Engineer or Architect per SDCL 36-18A;
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

## STAFF REPORT

May 4, 2006

---

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---

- 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;
  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 structure shall be fully fire sprinkled and alarmed;
  8. All applicable provisions of the International 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. A grading Permit shall be obtained prior to any grading;
  14. A Special Exception is hereby granted to allow a 28 foot wide driveway opening in lieu of the maximum 24 feet in width required as per Section 8.2.1 of the Street Design Criteria Manual; and,
  15. The Major Amendment to a 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:** 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 stipulations for the subject property.

On September 23, 2004 the Planning Commission approved a Planned Residential Development – Final Development Plan with stipulations for the subject property.

The applicant is now requesting approval of a Major Amendment to a Planned Residential Development to allow a four unit apartment building with garages in lieu of the five unit apartment previously approved on the above legally described property.

**STAFF REVIEW:** Staff has reviewed the Major Amendment to a Planned Residential Development as it relates to the applicable provisions of Section 17.50.070 of the Rapid City Municipal Code and has noted the following issues:

**Building/Grading Permit:** Staff noted that a Building Permit shall be obtained prior to construction, and that a Certificate of Occupancy must be obtained prior to occupying the building. Staff also noted that a Grading Permit shall be obtained prior to any grading. All plans shall be stamped by a Registered Professional Engineer or Architect per SDCL 36-18A.

STAFF REPORT  
May 4, 2006

---

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---

Design Features: The plan identifies the building footprint of 3,612 square feet for the proposed structure. 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 34 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 use requires 12,947 landscaping points be provided. The applicant's landscape plan shows 14,460 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 11 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 seven off street parking stalls for the proposed new four unit apartment building located on the northern portion of the subject property. The applicant's site plan shows a total of 12 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.

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 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.

## STAFF REPORT

May 4, 2006

---

### **No. 06PD022 - Major Amendment to a Planned Residential Development      ITEM 21**

---

Driveway Approaches: Staff noted that Section 8.2.1 of the Street Design Criteria Manual states that the driveway opening shall be no more than twenty-four feet in width in residential areas where two-family units or larger are built. The two proposed driveway opening on the north is 28 feet in width. As such, staff is recommending a Special Exception be granted to allow a 28 foot wide driveway opening in lieu of the maximum 24 feet in width required as per Section 8.2.1 of the Street Design Criteria Manual.

Fire Safety: Staff noted that the International 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.

Notification Requirement: The required sign has been posted on the property and the receipts for the required certified mailings have been returned.

Staff is recommending approval of the Major Amendment to a Planned Residential Development with the previously stated stipulations.