

STAFF REPORT
August 24, 2006

No. 06PD057 - Major Amendment to a Planned Residential Development **ITEM 20**

GENERAL INFORMATION:

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| PETITIONER | Fisk Land Surveying for Dlorah, Inc. |
| REQUEST | No. 06PD057 - Major Amendment to a Planned Residential Development |
| EXISTING LEGAL DESCRIPTION | Lot 5A, Block 2, Fairway Hills Subdivision; and A tract of land located in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the southeast corner of Lot 29R of Fairway Hills P.R.D., as shown on the plat filed on February 17, 1984 and recorded in Plat Book 19 on Page 124, said corner being marked by a rebar with survey cap number 3095; thence, S73°09'46"E, more or less, a distance of 4.84 feet more or less, to a point along the westerly edge of Fairway Hills Drive right-of-way, as shown on the plat filed on March 10, 1986 and recorded in Plat Book 20 on Page 224, said corner being marked by a rebar with survey cap number 6565; thence, southerly and along the westerly edge of said Fairway Hills Drive right-of-way, S16°50'14"W, more or less, a distance of 160.90 feet, more or less to a point of curvature along said right-of-way, said point being marked by a rebar with survey cap number 6565; thence, continuing along the westerly edge of said Fairway Hills Drive right-of-way and curving to the right on a curve with a radius of 96.87 feet, a delta of 17°55'27", an arc length of 30.30 feet, a chord bearing of S25°58'25"W, more or less, and a chord distance of 30.18 feet, more or less, to a point of tangent on the westerly edge of said right-of-way, said point being marked by a rebar with survey cap number 6565; thence, continuing along the westerly edge of said Fairway Hills Drive right-of-way, S34°46'00"W, more or less, a distance of 496.97 feet, more or less to a point of curvature on said right-of-way, said point being marked by a rebar with survey cap number 6565; thence, continuing along the northwesterly edge of said Fairway Hills Drive right-of-way and curving to the right on a curve with a radius of 151.11 feet, a delta of 91°35'13", an arc length of 241.55 feet, a chord bearing of S80°36'45"W, more or less, and a chord distance of 216.64 feet, more or less, to a point of tangent along said right-of-way, said point being marked by a rebar with |

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survey cap number 6565; thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way, N53°37'38"W, more or less, a distance of 69.36 feet, more or less, to a point of curvature along said right-of-way, said point being marked by a rebar with survey cap number 6565; thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way and curving to the left on a curve with a radius of 230.00 feet, a delta of 04°41'57", an arc length of 18.86 feet, a chord bearing of N56°09'17"W, more or less and a chord distance of 18.86 feet, more or less, to a point on the northerly edge of said Fairway Hills Drive right-of-way, said point being marked by a rebar with survey cap number 6565; thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way, as shown on the plat filed September 22, 2004 and recorded in Plat Book 32 on page 94, and curving to the left on a curve with a radius of 230.00 feet, a delta of 16°30'34", an arc length of 66.27 feet, a chord bearing of N66°39'30"W, more or less and a chord distance of 66.04 feet, more or less to a point on the northerly edge of said Fairway Hills Drive right-of-way, said point also being the southeast corner of Lot 16 of Block 10 of Fairway Hills PRD, as shown on the aforementioned plat, said point being marked by a rebar with survey cap number 6565; thence, northeasterly along the easterly line of said Lot 16 in Block 10 of Fairway Hills PRD, N14°38' 21"E, more or less, a distance of 102.58 feet, more or less, to the northeast corner of said Lot 16, said corner being coincident with the southeast corner of Lot 15 of Block 10 of Fairway Hills PRD, and said corner being marked by a rebar with survey cap number 6565; thence, northeasterly along the easterly lot line of said Lot 15 in Block 10 of Fairway Hills PRD, N14°38'21"E, more or less, a distance of 83.44 feet, more or less to a point on the easterly lot line of said Lot 15, said point being marked by a rebar with survey cap number 6565; thence, northwesterly along the northeasterly lot line of said Lot 15 in Block 10 of Fairway Hills PRD, N25°09'50"W, more or less, a distance of 132.38 feet, more or less to the northerly corner of said Lot 15, said corner being coincident with the northeast corner of Lot 14 of Block 10 of Fairway Hills PRD and also coincident with the southeast corner of Lot 3B of Fairway Hills PRD, as shown on the plat filed July 9, 1980 and filed in plat Book 17, Page 189, and also coincident with the westerly lot line of Lot 3A of Fairway

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Hills PRD, as shown on the plat filed November 21, 1979 and recorded in Plat Book 17 on Page 132, said corner being marked by a rebar with survey cap number 1019; thence, northeasterly along the easterly lot line of said Lot 3B of Fairway Hills PRD and the westerly line of said Lot 3A of Fairway Hills PRD, N17°55'58"E, more or less, a distance of 191.15 feet, more or less, to a point on the easterly lot line of said Lot 3B and the westerly lot line of said Lot 3A, said point being marked by a rebar with survey cap number 6565; thence, northwesterly along the easterly lot line of said Lot 3B of Fairway Hills PRD and the westerly line of said Lot 3A of Fairway Hills PRD, N20°01'18"W, more or less, a distance of 326.69 feet, more or less to a point on the easterly lot line of said Lot 3B and the westerly lot line of said Lot 3A, said point being coincident with the southwest corner of Lot H1 of Lot 3A of Fairway Hills PRD as shown on the plat filed on August 30, 1991 and recorded in Book 8 of Highway Plats on Page 39, said corner being marked by a rebar with survey cap number 6565; thence, northeasterly along the southerly line of said Lot H1 of Lot 3A of Fairway Hills PRD, N57°02'43"E, more or less, a distance of 77.75 feet, more or less, to the southeasterly corner of said Lot H1 of Lot 3A, said point also being located on the northeasterly lot line of said Lot 3A of Fairway Hills PRD and also on the southwesterly line of Lot 2 of Fairway Hills PRD, as shown on the plat filed on November 30, 1977 and recorded in Plat Book 15 of Page 215; said corner being marked by a rebar with survey cap number 6565; thence, southeasterly along the northeasterly lot line of said Lot 3A of Fairway Hills PRD and along the southwesterly line of said Lot 2 of Fairway Hills PRD, S22°24'27"E, more or less, a distance of 100.94 feet, more or less, to a point on the northeasterly lot line of said Lot 3A and the southwesterly line of said Lot 2, said point being marked by a rebar with survey cap number 3095; thence, southeasterly along the northeasterly lot line of said Lot 3A of Fairway Hills PRD and along the southwesterly line of said Lot 2 of Fairway Hills PRD, S40°29'56"E, more or less, a distance of 133.62 feet, more or less, to a point on the northeasterly lot line of said Lot 3A and the southwesterly line of said Lot 2, said point being marked by a rebar with survey cap number 1019; thence, southeasterly along the northeasterly lot line of said Lot 3A of Fairway Hills PRD and along the southerly line of said Lot 2 of Fairway

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Hills PRD, South 76 degrees 54 minutes 53 seconds East, more or less, a distance of 221.11 feet, more or less, to a point on the northeasterly lot line of said Lot 3A, said point being coincident with the southeast corner of said Lot 2 of Fairway Hills PRD and also coincident with the westerly line of Lot 30 of Fairway Hills PRD, as shown on the plat filed February 17, 1984 and recorded in Plat Book 19 on page 124, said point being marked by a rebar with survey cap number 1019; thence, southerly along the easterly line of said Lot 3A of Fairway Hills PRD and along the westerly line of said Lot 30 of Fairway Hills PRD, S08°05'24"E, more or less, a distance of 102.89 feet, more or less, to a point on the easterly line of said Lot 3A, said point being coincident with the southwest corner of said Lot 30, said point being marked by a rebar with survey cap number 3095; thence, northeasterly along the southerly line of said Lot 30 of Fairway Hills PRD, N76°46'01"E, more or less, a distance of 105.59 feet, more or less to the southeast corner of said Lot 30, said corner also being coincident with the southwesterly corner of Lot 29R of Fairway Hills PRD, as shown on the plat filed February 17, 1984 and filed in Page Book 19 and Page 124, said corner being marked by a rebar with survey cap number 3095; thence, easterly along the southerly lot line of said Lot 29R of Fairway Hills PRD, N76°42'20"E, more or less, a distance of 161.03 feet, more or less, to a point on the southerly lot line of said Lot 29R, said point being marked by a rebar with survey cap 3095; thence, easterly along the southerly lot line of said Lot 29R of Fairway Hills PRD, N87°22'22"E, more or less, a distance of 66.97 feet, more or less, to the point of beginning. Said tract of land contains 8.00 acres, more or less.

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| PROPOSED LEGAL DESCRIPTION | Lot 5A, Block 2, and Lot 3A Revised, Block 11, Fairway Hills Subdivision; |
| PARCEL ACREAGE | Approximately 8.00 acres |
| LOCATION | Fairway Hills Drive |
| EXISTING ZONING | Medium Density Residential District (Planned Residential Development) |

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SURROUNDING ZONING

North: Medium Density Residential District (Planned Residential Development)
South: Medium Density Residential District (Planned Residential Development)
East: Medium Density Residential District (Planned Residential Development)
West: Medium Density Residential District (Planned Residential Development)

PUBLIC UTILITIES City water and sewer

DATE OF APPLICATION 7/28/2006

REVIEWED BY Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Major Amendment to the Fairway Hills Planned Residential Development Plan be approved with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
3. Prior to issuance of a Building Permit, a Final Plat shall be reviewed and approved reconfiguring the two lots as shown on the site plan;
4. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Major Amendment to the Planned Residential Development Plan;
5. The increase in building height from 35 feet to 37.5 feet for Buildings 1 and 3, from 35 feet to 38.5 feet for Building 2, and from 35 feet to 41 feet for Building 4 is hereby authorized and any additional increase in building height shall require a Major Amendment to the Planned Residential Development;
6. The installation of a basketball court is hereby authorized and any future fence for the basketball court would require a Minimal Amendment, and any fence over six feet in height would require a fence height exception and a building permit;
7. The lighting plan shall continually comply with all requirements of the Rapid City Municipal Code and the approved lighting plan;
8. Prior to Planning Commission approval, a sign package shall be submitted for review and approval showing any signage provided or a Major Amendment to the Planned Residential Development must be obtained for any signage;
9. A minimum of 192 parking spaces shall be provided with six handicap accessible spaces. One of the handicap spaces shall be "van" accessible. In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;

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10. A minimum of 152,946 landscaping points shall be provided. The landscaping plan shall 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;
11. Each air handling unit shall not exceed four ton in size. In addition, the air handling equipment shall be screened either with an opaque screening fence or a landscaping screen consisting of evergreen plant material and maintained in a live vegetative state and replaced as necessary;
12. The dumpsters shall be screened with an opaque screening fence or located within the structure(s);
13. All International Fire Codes shall be met;
14. Prior to issuance of a building permit, the applicant shall submit detention pond outlet details and riprap calculations;
15. Prior to issuance of a building permit, the applicant shall submit plan and profile sheets for water and sanitary sewer and water information and analysis demonstrating sufficient quantities for domestic and fire flows;
16. Prior to issuance of a building permit, the applicant shall submit a revised site plan showing the location of a pedestrian cross walk for review and approval;
17. Prior to Planning Commission approval, an elevation of the parking structure shall be submitted for review and approval;
18. The subject property shall be used as a 96 unit condominium complex with parking as an accessory use to the complex. Any other use shall require a Major Amendment to the Fairway Hills Planned Residential Development Plan; and,
19. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to the Fairway Hills Planned Residential Development to allow condominium complex to be constructed on the subject property. In particular, the condominium complex will consist of four buildings, each three stories in height with a drive under garage in each building. In addition, each building will consist of 24 units for a total of 96 units.

On March 10, 2005 a Major Amendment to the Planned Residential Development (04PD080) was approved allowing four – 27 unit apartment buildings with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
3. Prior to issuance of a Building Permit, a Final Plat shall be reviewed and approved reconfiguring the two lots as shown on the site plan;

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4. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Major Amendment to the Planned Residential Development Plan;
5. A minimum of 162 parking spaces shall be provided with six handicap accessible spaces. One of the handicap spaces shall be "van" accessible. In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
6. A minimum of 152,946 landscaping points shall be provided. The landscaping plan shall 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;
7. Each air handling unit shall not exceed four ton in size. In addition, the air handling equipment shall be screened either with an opaque screening fence or a landscaping screen consisting of evergreen plant material and maintained in a live vegetative state and replaced as necessary;
8. The dumpsters shall be screened with an opaque screening fence or located within the structure(s);
9. Prior to approval by the Planning Commission, the applicant shall enter into an agreement with the City for future off-site high pressure water main improvements in exchange for being able to connect to the existing eight inch high pressure water main located in Fairway Hills Drive
10. All Uniform Fire Codes shall be met;
11. The subject property shall be used as a 108 unit apartment complex. Any other use shall require a Major Amendment to the Fairway Hills Planned Residential Development Plan; and,
12. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years.

The applicant is now proposing to revise the footprint of the building, add 26 parking stalls on the east side of Fairway Hills Drive to meet the parking requirements for condominiums, increase the height of the buildings to a maximum height of 41 feet, add a basketball court, and revise the grading and drainage plan.

The property is located along Fairway Hills Drive within the Fairway Hills Planned Residential Development. Currently, a clubhouse, swimming pool and playground are located on proposed Lot 3A and proposed Block 11 is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Planned Residential Development and has noted the following considerations:

Design Features: As noted above, the condominium complex will consist of four buildings, each three stories in height with a drive under garage in each. In addition, each building will consist of 24 units for a total of 96 units. The structural elevations show a balcony on each unit and that each structure will have a peaked roofline. The applicant submitted a list of building materials identifying that the structures will consist of fiberglass shingles, cement board lap siding, stone and rock face integral color conic block, glass, aluminum and wood.

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In addition, the structures will consist of natural earth tone colors. The applicant has also indicated that the dumpsters will be located in the garage(s) and not on the exterior of the buildings. Staff is recommending that the proposed structure(s) conform architecturally to the plans and elevations and color palette submitted as part of this Major Amendment to the Planned Residential Development Plan.

The applicant also submitted information indicating that three air handling units per building will be located along the south side of each structure. The units are each four ton in size. Information submitted from Steen Engineering, Inc. indicates that a four ton unit will generate an average 62 decibels of noise resulting in 70 frequency of revolutions per second. The applicant has indicated that a landscaping screen will be planted around all of the air handling equipment. Staff is recommending that each air handling unit not exceed four ton. In addition, the equipment must be screened either with an opaque screening fence or a landscaping screen consisting of evergreen plant material and maintained in a live vegetative state and replaced as necessary.

Building Height: Staff noted that the applicant is requesting a maximum building height of 37.5 feet on Buildings 1 and 3, a maximum building height of 38.5 feet on Building 2 and a maximum building height of 41 feet on Building 4 in lieu of the maximum building height of 35 feet as per Section 17.12.070 of the Rapid City Municipal Code. Staff noted the applicant has requested the increase in building to allow for a more efficient floor/truss system and facilitate the mechanical/electrical installation. Staff also noted that the plans indicate a front yard setback of 27 feet in lieu of the required 25 feet and the complex will be adjacent to a church and existing three-story apartment complex to the west. As such, staff is recommending that an increase in building height from 35 feet to 37.5 feet for Buildings 1 and 3, from 35 feet to 38.5 feet for Building 2, and from 35 feet to 41 feet for Building 4 be approved and that any additional increase in building height shall require a Major Amendment to the Planned Residential Development.

Basketball Court: Staff noted that a basketball court is shown as part of proposed development. Staff also noted that no fence was indicated around the basketball court. Any future fence would require a Minimal Amendment, and any fence over six feet in height would require a fence height exception and a building permit.

Parking: The 96 unit condominium complex requires that a minimum of 192 parking spaces be provided. In addition, six of the parking spaces must be handicap accessible, with one of the handicap spaces being "van" accessible. The site plan identifies 194 parking stalls with 26 stalls being provided in the garage area under each structure.

Phasing Plan: The applicant submitted a Phasing Plan identifying that each building will be constructed as a separate phase for a total of four phases.

Lighting and Signage: The applicant has submitted a lighting package identifying exterior lighting at the entrances of each structure as well as within the parking area as per the Parking Regulations. The applicant has submitted a statement indicating that no signage is being proposed.

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Site Improvements: A revised grading and drainage plan has been submitted with revised calculations for the detention ponds. However, information was not submitted for the detention pond outlet details and riprap calculations. Staff recommends that prior to issuance of a building permit, the applicant shall submit detention pond outlet details and riprap calculations.

Water: On March 8, 2005 the applicant entered into an agreement with the City for future off-site high pressure water main improvements in exchange for being able to connect to the existing eight inch high pressure water main located in Fairway Hills Drive. Staff noted that prior to issuance of a building permit the applicant shall submit plan and profile sheets for water and sanitary sewer and water information and analysis demonstrating sufficient quantities for domestic and fire flows.

Fire: The Fire Department has indicated that all International Fire Codes must be met as a part of the design standards for the development. In particular, fire hydrants must be in place and operational prior to or in conjunction with building construction. In addition, the structures must be fully sprinkled. An all weather drivable surface must be in place prior to any building construction on the site. The Fire Department has also indicated that an address must be posted on the site prior to or in conjunction with building construction. Staff is recommending that all International Fire Codes be continually met. Staff also noted that the height of the below grade parking structure was not indicated on the plans. Staff recommends that prior to Planning Commission approval, an elevation of the parking structure be submitted for review and approval to verify that emergency vehicles can access the area.

Street System: Staff noted that a cross walk should be provided from the proposed parking lot on the east side of Fairway Hills Drive to the proposed structures on the west side of Fairway Hills Drive. Staff recommends that prior to issuance of a building permit, the applicant shall submit a revised site plan showing the location of a pedestrian cross walk for review and approval.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. The sign been posted on the property. Staff will notify the Planning Commission at the August 24, 2006 Planning Commission meeting if these requirements has not been met.