

STAFF REPORT
January 4, 2007

No. 06PD073 - Planned Residential Development - Initial and Final Development Plan **ITEM 45**

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers, Inc. for Ronneberg Investments, LLC
REQUEST	No. 06PD073 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 1, 2, 38, 39 and 40, Block 3, Cottonwoods Subdivision and adjacent vacated railroad lane, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .56 acres
LOCATION	3404 Jackson Boulevard and 2040 3rd Avenue
EXISTING ZONING	Medium Density Residential District (Canyon Overlay District)
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Flood Hazard District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/8/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

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

- 1. Prior to Planning Commission approval, the site plan shall be revised to provide a minimum ten foot wide landscape buffer as per the minimum design standards of the Canyon Lake Overlay District;**
- 2. Prior to Planning Commission approval, the landscaping plan shall be revised to show only that portion of the hedge located within the site triangle to be removed. The balance of the hedge shall remain in place.**
- 3. Prior to Planning Commission approval, the utility plan shall be revised to preclude extending service lines under the existing hedge, or the applicant shall demonstrate that the service lines will be bored under the existing hedge or, if the**

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- hedge is removed, a mature hedge matching the existing hedge shall be planted in the same location;
4. **A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
 5. **Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Development Service Center Division;**
 6. **Prior to issuance of a building permit, an additional six feet of right-of-way shall be dedicated along Second Avenue and Third Avenue. In addition, the pavement width along the two streets as they abut the subject property shall be widened to 27 feet, sidewalk added and the curb and gutter replaced or surety shall be posted for the improvements. Prior to issuance of a Certificate of Occupancy, the street improvements shall be completed;**
 7. **Prior to issuance of a building permit, the applicant shall sign a developmental lot agreement to allow the two lots to function as one property;**
 8. **The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Final Residential Development Plan. In particular, decks shall not be allowed on the north side of the structures and windows shall be reduced as proposed along the north side of the structures;**
 9. **The proposed residential structures shall be used as two four unit apartment buildings as shown on the application. Any other use shall require a Major Amendment to the Planned Residential Development;**
 10. **A minimum of 26,500 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. **A minimum of 18 parking spaces shall be provided. One of the spaces shall be "van" handicap accessible. The parking spaces along the north lot line shall continue to provide a minimum 12 foot separation to the adjacent property and a row of hedges shall be planted between the parking spaces and the north lot line as proposed. In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;**
 12. **All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;**
 13. **The snow removal area shall be located as shown on the site plan. In addition, no snow removal area designations shall be allowed within the site triangles;**
 14. **The dumpster shall be located as shown on the site plan and screened on all four sides as proposed;**
 15. **All International Fire Codes shall be met; and,**
 16. **The Planned Commercial 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:

(Update, December 18, 2006. All revised and/or added text is shown in bold print.)

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This item was continued at the December 7, 2006 Planning Commission meeting to allow the applicant to submit additional information and to revise the site plan to comply with the Rapid City Municipal Code. On December 5, 2006, the applicant submitted drainage calculations, a parking schematic and a revised site plan.

(Update, November 27, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 22, 2006 Planning Commission meeting to allow the applicant to submit additional information and to revise the site plan to comply with the Rapid City Municipal Code. To date, a stamped site plan has not been submitted for review and approval demonstrating compliance with the Rapid City Municipal Code. As such, staff is recommending that this item be continued to the January 4, 2007 Planning Commission meeting to allow the applicant to submit the additional information.

(Update, November 15, 2006. All revised and/or added text is shown in bold print.) This item was continued at the November 9, 2006 Planning Commission meeting to allow the applicant to submit additional information and to revise the site plan to comply with the Rapid City Municipal Code. To date, a stamped site plan has not been submitted for review and approval demonstrating compliance with the Rapid City Municipal Code. As such, staff is recommending that this item be continued to the December 7, 2006 Planning Commission meeting to allow the applicant to submit the additional information.

(Update, October 29, 2006. All revised and/or added text is shown in bold print.) This item was continued at the October 26, 2006 Planning Commission meeting to allow the applicant to submit additional information and to revise the site plan to comply with the Rapid City Municipal Code. On October 24, 2006, staff met with the applicant's consultant to discuss the outstanding issues. The applicant's consultant indicated that a revised site plan will be submitted providing the minimum separation between the parking spaces along the north lot line and the adjacent residential development. In addition, the applicant's consultant indicated that revised structural elevations will be submitted eliminating and/or reducing the number of windows along the north side of the proposed residential structures. The applicant also indicated that a revised site plan will be submitted showing additional landscaping north of the parking spaces along the north lot line and showing the proposed patios to be located along the north side of the residential structures. To date, the revised elevations and/or site plan(s) have not been submitted for review and approval. In addition, the balance of the information identified in the Staff Report has not been submitted for review and approval. In particular, the applicant has not submitted a revised site plan providing a minimum 26 foot wide access aisle within the parking area, a ten foot landscaping buffer along Jackson Boulevard and a water system analysis prepared by a Registered Professional Engineer. As such, staff is recommending that this item be continued to the November 22, 2006 Planning Commission meeting to allow the applicant to submit the additional information as identified.

(Update, October 14, 2006. All revised and/or added text is shown in bold print.) This item was continued at the October 5, 2006 Planning Commission meeting to allow the applicant to submit additional information and to revise the site plan to comply with the Rapid City Municipal Code. To date, the additional information and/or the revised site plan have not

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been submitted for review and approval. As such, staff is recommending that this item be continued to the November 9, 2006 Planning Commission meeting to allow the applicant to submit the additional information as identified.

The applicant has submitted an Initial and Final Residential Development Plan to allow two four unit apartment buildings to be constructed on the subject property. The property is located between Second Avenue and Third Avenue on the north side of Jackson Boulevard. Currently, a four foot to six foot high privacy fence is located along the north lot line of the subject property.

STAFF REVIEW:

Staff has reviewed the Initial and Final Planned Residential Development and has noted the following considerations:

Design Features: The applicant has indicated that the proposed apartment buildings will be two story structures with one attached garage space per unit. In addition, the structures will be constructed with hardboard siding, asphalt shingles and associated metal fascias, soffits and trim. The applicant has indicated that the structures will be designed with earth tone colors in browns and grays. In addition, the applicant has also indicated that the apartments will have private decks on the south side and ground level patios on the north side. **The applicant has also submitted revised elevations reducing the number of windows on the second floor along the north side of the structures. Staff is recommending that the proposed structures conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Final Planned Residential Development. In particular, staff is recommending that decks not be allowed on the north side of the structure(s) and windows be reduced as proposed due to the location of existing single family residences directly north of the property.**

Streets: The Canyon Lake Overlay District requires that the street providing access to any multi-family dwelling of three or more units be in compliance with the Street Design Criteria Manual. Jackson Boulevard, a principal arterial street, is in compliance with a 100 foot wide right-of-way, 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Second Avenue and Third Avenue are classified as sub-collector streets requiring that they be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, the two streets are located in a 40 foot wide right-of-way, respectively, and constructed with an approximate 24 foot wide paved surface. The applicant has submitted a site plan showing the dedication of an additional six foot of right-of-way for each street. In addition, the applicant has indicated that the pavement width will be widened to 27 feet, sidewalk added and the curb and gutter replaced. Staff is recommending that prior to issuance of a building permit, the right-of-way be dedicated as identified and the street improvements completed or surety posted for the improvements.

Developmental Lot Agreement: The subject property is identified as two separate platted lots. As such, staff is recommending that prior to issuance of a building permit, the applicant sign a development lot agreement to allow the two lots to function as one property.

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Parking: The Canyon Lake Overlay District Parking Requirements state that “all multi-family dwelling units shall provide a minimum of two off-street parking spaces per dwelling unit. For multi-family dwelling units of four and above there shall be additional guest parking spaces”. The eight apartment units require that a minimum of 18 parking spaces be provided. In addition, one of the spaces must be “van” handicap accessible. The applicant’s site plan identifies that eight garage units are being provided. In addition, ten outdoor parking spaces are being provided and one of the spaces is a “van” handicap accessible space. However, Chapter 17.50.270.b of the Rapid City Municipal Code requires that “every multiple-family parking area on a lot that abuts a single family residential lot along a side lot line shall be set back a distance of not less than 12 feet”. The applicant has requested to reduce the separation between the six parking spaces and the adjacent single family residential side lot line located along north lot line of the subject property from 12 feet to five feet. (Staff has noted that the applicant’s site plan shows the parking spaces located along the west side of the property to be located approximately 1.5 feet from the adjacent single family residential side lot line.) The applicant has stated that the four foot high screening fence located along a portion of the north lot line will serve as a buffer between the parking spaces and the adjacent single family residences. However, staff has noted that a minimum 12 foot separation is required in order to also minimize noise and odor nuisances created by the parking lot use. Staff also notes that the four foot high privacy fence will not serve to completely screen the vehicles from the adjacent property since many vehicles are over four feet high. **The revised site plan provides a minimum 12 foot separation between the parking spaces and the adjacent property. In addition, the site plan shows a row of hedges between the parking spaces and the adjacent properties to minimize the impact of parking adjacent to a single family residential lot. In particular, the hedges will reduce glare from the vehicle’s headlights and reduce noise and odor emitted from the vehicle(s). Staff is recommending that a minimum of 18 parking spaces be provided. In addition, one of the spaces must be “van” handicap accessible. Staff is also recommending that the parking spaces along the north lot line continue to provide a minimum 12 foot separation to the adjacent property and that a row of hedges be planted as proposed.**

Access Aisle: The applicant’s site plan identifies that vehicles parked in the garage units will back into the adjacent access aisle. As such, the access aisle must be a minimum of 26 foot wide. Staff is recommending that the Initial and Final Residential Development Plan be continued to allow the applicant to submit a revised site plan for review and approval providing a minimum 26 foot wide access aisle as identified. **The revised site plan shows a 26 foot wide access aisle as required.**

Landscaping: A minimum of 18,129 landscaping points are required. The applicant’s site plan identifies that 26,500 points are being provided. The Canyon Lake Overlay District also requires that “for any multi-family structures of three or more units, a streetscape landscaping buffer of ten feet in the front yard setback shall be required, to include a minimum of 10% of the required landscaping points”. The applicant is requesting to reduce the width of the required landscape buffer along Jackson Boulevard from ten feet to five feet and to allow an existing eight foot to ten foot high hedge to serve as the buffer. However,

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staff has noted that in time the hedges may die and/or be replaced. As such, a minimum ten foot wide area must be reserved for landscaping to insure future vegetation has sufficient room to grow and provide a buffer along Jackson Boulevard, which is a principal arterial street on the City's Major Street Plan. **The revised site plan identifies a five foot wide landscape buffer along Jackson Boulevard. Staff is recommending that prior to Planning Commission approval, the site plan be revised to provide a minimum ten foot wide landscape buffer as per the minimum design standards of the Canyon Lake Overlay District.**

The landscape plan also identifies the removal of a portion of the existing hedges along Jackson Boulevard at the intersections of Second Avenue and Third Avenue. Staff is recommending that prior to Planning Commission approval, the landscaping plan be revised to show only that portion of the hedge located within the site triangle to be removed. The balance of the hedge must remain in place.

Approach Location: The approach along Third Avenue is located 30 feet from the intersection of Jackson Boulevard and Third Avenue. The Street Design Criteria Manual states that a minimum 50 foot separation must be provided. As such, the applicant must revise the site plan to show a minimum 50 foot separation or an Exception to the Street Design Criteria Manual must be obtained. Staff is recommending that the Initial and Final Residential Development Plan be continued to allow the applicant to revise the site plan to comply with the Street Design Criteria Manual as identified. The applicant has obtained an Exception to reduce the separation between the intersection of Jackson Boulevard and Third Avenue and the approach from 50 feet to 30 feet. **Staff has, subsequently, reviewed and approved the Exception request reducing the separation between the intersection of Jackson Boulevard and Third Avenue and the approach from 50 feet to 30 feet. The revised site plan is in compliance with the approved Exception.**

Snow Removal: The Canyon Lake Overlay District requires that "for any multi-family dwelling of three or more units, a snow removal area shall be designated that will not interfere with the normal requirements for parking or landscaping. The site plan identifies a snow removal area in the southeast corner of the property. However, staff has noted that this area encroaches into the sight triangle at the intersection of Second Avenue and Jackson Boulevard. The site plan also shows a snow removal area directly north of two proposed parking spaces located between the two apartment buildings. It appears this area will accommodate the snow removal as needed. Staff is recommending that the site plan be revised to remove the snow removal area designation from the southeast corner of the property. **The applicant has submitted a site plan showing the elimination of the snow removal area designation from the southeast corner of the subject property.**

Utilities: A water system analysis prepared by a Registered Professional Engineer must be submitted for review and approval verifying sufficient quantities for domestic and fire flows. In addition, a site plan showing the location of existing water and sewer service lines, with size, material, type and curb stop locations must be submitted for review and approval. In addition, the applicant must identify on the plans if the lines are to be abandoned. The applicant must also identify the location of existing gas and telephone lines and identify if

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they too are to be abandoned. **The revised site plan shows the extension of a sewer service line and a water service line from Jackson Boulevard to serve the proposed development. However, both service lines are shown to be located under the existing hedge along Jackson Boulevard. A note on the site plan identifies that a new hedge will be planted over the sewer service line. However, it appears that the water service line will be bored under the existing hedge. Staff is recommending that prior to Planning Commission approval, the applicant revise the utility plan to preclude extending service lines under the existing hedge, or the applicant must demonstrate that the service lines will be bored under the existing hedge or, if the hedge is removed, a mature hedge matching the existing hedge must be planted in the same location.**

Drainage: Drainage information must be submitted for review and approval. In particular, the drainage information must include calculations demonstrating that developed flows from the site do not exceed pre-developed flows or local detention facilities must be provided or expanded as necessary. The drainage design must be in accordance with the Red Dale Drainage Basin. Staff is recommending that the Initial and Final Residential Development Plan be continued to allow the applicant to submit the drainage information as identified and to revise the site plan to show detention if and as needed. In addition, an erosion and sediment control plan, with the location of sediment fence(s), must be submitted for review and approval. **On December 5, 2006, the applicant submitted drainage calculations and information demonstrating that the drainage is being designed in compliance with the Red Dale Drainage Basin Plan and the Drainage Criteria Manual.**

Fire Protection: The Fire Department staff has indicated that the two structures must be fully fire sprinklered and fire alarmed/detected as per the 2003 International Fire Code. In addition, the addressing of the structures must be in compliance with the 2003 International Fire Code. The Fire Department has indicated that fire apparatus access is currently being provided to the structures. However, the applicant must continue to provide fire apparatus access upon revising the site plan as noted above. Staff is recommending that all International Fire Codes be continually met.

Notification Requirement: The certified mailing receipts have been returned. In addition, the sign has been posted at the property. Staff has received several calls of inquiry voicing concern and/or opposition to this request. In particular, the callers indicated concern that the proposed use would create additional traffic, parking issues, noise and aesthetic concerns in the neighborhood.

On October 19, 2006, the applicant held a public meeting with the neighborhood to discuss the proposed use.

The development of apartment units on property located along Jackson Boulevard may be an appropriate land use for the property, and one that is supported by the Medium Density Residential Zoning District. **Staff is recommending that the Initial and Final Residential Development Plan be approved with the stipulations of approval as outlined above.**