

STAFF REPORT
March 22, 2007

No. 07PD015 - Planned Residential Development - Initial and Final Development Plan **ITEM 40**

GENERAL INFORMATION:

PETITIONER	Tama LaRay Donely
REQUEST	No. 07PD015 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 9 and 10 in Block 5 of North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.16 acres
LOCATION	815 Lemmon Avenue
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	Public Sewer and Water
DATE OF APPLICATION	2/23/2007
REVIEWED BY	Jonathan Smith / Emily Fisher

RECOMMENDATION:

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

GENERAL COMMENTS:

The applicant has submitted an application for a Planned Residential Development- Initial and Final Development Plan. The subject property is a 1600 square feet single family residence residing on a 7000 square feet lot located at 815 Lemmon Avenue. A detached garage exists behind the single family structure. Current zoning of the subject and adjacent properties is Medium Density Residential District. The applicant is proposing to use the existing single family dwelling unit as Bed and Breakfast facility. The Bed and Breakfast will include two bedroom units.

STAFF REVIEW:

Staff has reviewed the application for a Planned Residential Development and notes the following considerations:

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Parking:

As noted, the applicant is proposing to use the subject property as a two unit Bed and Breakfast facility. Section 17.50.270 requires one parking space per boarding room. Based on the use of the property as a single family residence and a two unit Bed and Breakfast, a total of four off-street parking spaces must be provided in accordance with the provisions of the Rapid City Municipal Code.

The applicant's site plan currently identifies the provision of two off street parking spaces in front of the garage in the driveway with two additional spaces provided within the garage in a driveway. A carport attached to the garage provides two additional stacked off street parking spaces. All of the parking spaces require backing into the alley which is only allowed for the two spaces provided for the single family residential use itself. Additionally, only one space behind the garage is currently paved. The Rapid City Municipal Code requires that the first fifty feet of any residential driveway must be paved and all off-street parking for the commercial use is required to be paved. Further, the site plan identifies that all six of the parking spaces available on the site are stacked parking spaces. This is acceptable for the two parking spaces provided for the single family residential use; however, the spaces provided for the Bed and Breakfast are not allowed to be stacked spaces.

In summary, the site plan as submitted does not identify the required off-street parking located in a manner that complies with the Rapid City Municipal Code for either the Bed and Breakfast or the existing single family residence.

Signage

The applicant has not submitted a sign package. Section 17.10.030 of the Rapid City Municipal Code states that a bed and breakfast facility may display one sign no more than two square feet in size. The sign shall be prepared in earth tone colors and should compliment the neighborhood. Any sign lighting shall be from indirect sources which are shielded or hooded to limit adverse affects to the neighborhood properties. In addition a sign permit shall be obtained before any signs are placed upon the subject property. If the applicant wishes to have a sign for the Bed and Breakfast, a drawing of the proposed sign should be submitted prior to Planning Commission consideration of the request.

Floodplain:

Staff has noted that the subject property is located within the 100 year flood plan. Prior to any improvements, the applicant is required to obtain a Flood Plain Development permit. Future improvements are limited to no more than 50 percent of the value of the structure at which time it was designated as being located within the 100 year flood plain. Currently the applicant is not proposing to make additions or improvements to the structure. However, as noted below, fire protection improvements are required and will require that the applicant obtain a Floodplain Development Permit and Building Permit.

Fire Code:

Pursuant to the provisions of the Fire Code, the proposed change in use requires that structure be sprinkled, alarmed, and that detection devices be installed. All sprinkling, alarms, and

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detection devices shall meet the standards set forth in the 2003 International Building Code, and 2003 International Fire Code. Staff has significant concerns regarding the viability of providing the required fire safety improvements for the proposed commercial use.

Zoning and Use:

Current zoning, as well as, surrounding zoning of adjacent properties is Medium Density Residential District. The surrounding area of the subject property consists of single family residences with no commercial uses in the area. Concerns have been raised regarding the introduction of this proposed commercial use into this neighborhood. Staff was contacted by two individuals regarding the requested Initial and Final Development Plan. One of the individuals expressed concerns regarding the introduction of a commercial activity into the neighborhood, as well as concerns with the parking associated with the use.

Notification Requirement:

As of this writing, the white slips and green cards have not been returned to the Growth Management Department. Staff will notify Planning Commission at the March 22, 2007 meeting if the required slips and cards have not been returned.

The use as proposed does not comply with the minimum off-street parking requirements or the provisions of the Fire Code. Further, the proposed use is located within a 100 year Floodplain raising issues about the safety of guests using the facility as well as questions regarding the ability to obtain the necessary permits. Lastly, the introduction of a commercial use into the middle of this residential neighborhood, particularly when adequate parking is not being provided, raises significant concerns about the appropriateness of the proposed use. For these reasons, the staff recommends denial of the Initial and Final Development Plan.