

STAFF REPORT

June 4, 2009

No. 09PD012 - Planned Residential Development - Initial and Final Development Plan

ITEM 18

GENERAL INFORMATION:

APPLICANT/AGENT	J. Scull Construction
PROPERTY OWNER	Multiple Owners, Evergreen Condominiums
REQUEST	No. 09PD012 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots A and B of Lot 14, less North 80 feet of the East 255 feet of Lot B, platted, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.720 acres
LOCATION	1626 Evergreen Street
EXISTING ZONING	Medium Density Residential District (Canyon Lake Overlay District)
SURROUNDING ZONING	
North:	Medium Density Residential District (Canyon Lake Overlay District)
South:	Medium Density Residential District (Canyon Lake Overlay District)
East:	Medium Density Residential District (Canyon Lake Overlay District)
West:	Medium Density Residential District (Canyon Lake Overlay District)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/26/2009
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial and Final Development Plan be denied without prejudice.

GENERAL COMMENTS: **(Update, May 29, 2009. All revised and/or added text is shown in bold print.) This item was continued to the June 4, 2009 Planning Commission meeting at the applicant's request to allow the applicant to submit additional information. On May 27, 2009 the applicant submitted a copy of the drainage report dated April 10, 2006, a supplemental drainage report dated May 25, 2007 and a letter**

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addressing a final site visit on June 9, 2008. However, the submitted information does not appear to address the adjacent property owners' issues with drainage from this property onto their lots. In addition, the outstanding issues with the narrow streets adjacent to the property have not been addressed. As such, staff recommends that this item be denied without prejudice.

The applicant has submitted an Initial and Final Residential Development Plan to allow two sixteen unit apartment buildings and one twelve unit garage and one six unit garage to be constructed on the property. The property is located between Evergreen Drive and 32nd Street and is south of Harmony Lane. Currently, a sixteen unit residential structure is located on the property.

On June 9, 2005 a building permit was issued for one sixteen unit apartment complex and on September 12, 2005 a building permit was issued for a second sixteen unit apartment complex on the property.

On September 9, 2005 the Ordinance establishing the Canyon Lake Overlay District (#5076) became effective.

On June 2, 2006 Planning Commission denied without prejudice at the applicant's request a Planned Residential Development – Initial and Final Development Plan (#05PD004) for the property.

On April 16, 2007 City Council denied without prejudice at the applicant's request a Planned Residential Development – Initial and Final Development Plan (#06PD070) for the property.

The applicant is now proposing to add garages to the previously approved plans. The proposed addition requires the applicant to obtain approval of a Planned Residential Development – Initial and Final Development Plan as part of the requirements of the Canyon Lake Overlay District.

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

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 building.

Setbacks: The Canyon Lake Overlay District requires that for multi-family dwelling of three or more units there shall be a minimum side yard setback of not less than fifteen feet. The applicant submitted a site plan meeting the minimum setback requirements of the Canyon Lake Overlay District.

Design Features: The applicant has indicated that the proposed structures will be constructed with chestnut colored cement board siding. Staff recommends that all construction shall comply with the approved building elevations.

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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. The project has access to Evergreen Drive and Harmony Lane.

Evergreen Drive is classified as sub-collector street requiring that it be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface if on street parking is allowed or a minimum 47 foot wide right-of-way and constructed with a minimum 22 foot wide paved surface if no on-street parking is required. Currently the street is located in a 70 foot wide right-of-way and constructed with an approximate 24 foot wide paved surface and connects to Canyon Lake Drive to the north.

Harmony Lane to the north of the property, which is classified as a sub-collector street requiring that it 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, is currently located in an approximately 23 foot wide right-of-way and 20 foot wide paved surface. As such, staff would recommend that the Planned Residential Development – Initial and Final Development Plan be denied without prejudice to allow the applicant to address the issues with the surrounding streets.

Developmental Lot Agreement: The property is identified as two separate platted lots. Prior to issuance of any building permits, the applicant must obtain approval of a development lot agreement to allow the two lots to function as one property.

Parking: The Canyon Lake Overlay District requires 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 thirty-two apartment units require that a minimum of 72 parking spaces be provided. In addition, 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 submitted a site plan identifying 72 parking stalls set back a distance of 12 feet as required per Sections 17.50.270 and 17.60.080 of the Rapid City Municipal Code.

Landscaping: A minimum of 83,726 landscaping points are required. The applicant's site plan identifies that 87,788 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 streetscape landscaping buffer is 25 feet in width and provides 11,000 points. The proposed landscaping plan meets the minimum requirements of Section 17.50.300 of the Rapid City Municipal Code.

Screening: The Canyon Lake Overlay District requires that for any multi-family dwelling of three or more units, a six foot screening fence shall be placed along the side and rear yards located adjacent to single family/duplex/townhouse dwellings. The site plan does indicate a six foot privacy fence along the north and south lot lines of the property and staff noted that

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a wood privacy fence is currently constructed along the south and north lot lines.

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 applicant has shown a snow removal area located on in an open area on the east side of the site that does not appear to interfere with the proposed parking or landscaping.

Utilities: Staff noted that a water system analysis prepared by a Registered Professional Engineer was previously reviewed and approved verifying sufficient quantities for domestic and fire flows. In addition, the site plan showed the location of existing water and sewer service lines, with size, material, type and curb stop locations. The applicant must also identify the location of existing gas and telephone lines.

Drainage: Staff noted that a drainage report was previous reviewed and approved that was designed in accordance with the Red Dale Drainage Basin. However, there have been complaints from the neighbors that the existing drainage does not adequately contain the runoff from the site. As such staff recommends that prior to Planning Commission approval a revised drainage report shall be submitted for review and approval addressing the existing conditions of the site.

On May 27, 2009 the applicant submitted a copy of the drainage report dated April 10, 2006, a supplemental drainage report dated May 25, 2007 and letter addressing a final site visit on June 9, 2008. The letter stated that the detention pond was a staked according to the approved plans and that the as-built site conditions have not varied from the approved plans. However, the submitted information does not appear to address the adjacent property owners' issues of drainage onto their property. As such, staff recommends that this item be denied without prejudice.

Fire Protection: The Fire Department staff has indicated that the two structures must be fully fire sprinklered and fire alarmed/detected as per the International Fire Code. In addition, the addressing of the structures must be in compliance with the International Fire Code. Staff is recommending that all International Fire Codes be continually met.

Notification Requirement: As of this writing, the receipts from the certified mailings have been returned and the sign has been posted on the property.

Staff is recommending that Planned Residential Development – Initial and Final Development Plan be denied without prejudice since the streets providing access to the property are not of adequate width and do not comply with Street Design Criteria Manual as per Section 17.60.090 of the Rapid City Municipal Code.