

STAFF REPORT

April 8, 2010

**No. 10PD026 - Planned Residential Development - Final ITEM 39
Development Plan**

GENERAL INFORMATION:

APPLICANT	Vince Braun for Black Hills Workshop
AGENT	Renner & Associates, LLC
PROPERTY OWNER	Gerhart Larson and Merle Karen
REQUEST	No. 10PD026 - Planned Residential Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 22R of Block 18 of North Rapid Addition, located in the S1/2 of the NW1/4, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.467 acres
LOCATION	Northeast of the intersection of North Street and Allen Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Civic Center District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/12/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to Planning Commission approval, a Major Drainage Easement shall be recorded at the Register of Deed's Office securing the regional drainage located in the eastern portion of the property within an easement. In addition, a copy of the recorded easement shall be submitted to the Growth Management Office;
2. Prior to Planning Commission approval, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval as needed. In addition, an Erosion and Sediment Control Permit shall be

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- obtained prior to any construction;
3. Prior to Planning Commission approval, 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 Growth Management Department;
4. A Building Permit shall be obtained prior to the start of construction and a Certificate of Occupancy shall be obtained prior to Occupancy;
5. The structures shall conform architecturally to the plans and elevations and color palette submitted as part of this Final Planned Residential Development;
6. The privacy fence shall conform architecturally to the plans and elevations and color palette submitted as part of this Final Planned Residential Development;
7. A minimum of 21,750 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
8. A minimum of five parking spaces shall be provided. In addition, one of the parking spaces shall be "van" handicap accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;
9. The currently adopted International Fire Code shall be continually met. In particular, the proposed residential structures shall have fire sprinkler systems to insure that the occupants are protected. The applicant shall also demonstrate that a fire hydrant is located within 400 feet of all portions of the structures as measured via an approved route; and,
10. A group home shall be allowed on the property as defined by Chapter 17.04.350 of the Zoning Ordinance. This shall not include missions, detoxification centers or detention centers. In particular, the two proposed residences shall be used as a group home with a maximum of five clients and one staff member per home. However, the 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 two years. In addition, any change and/or expansion in use will require that a Major Amendment to the Planned Residential Development be obtained.

GENERAL COMMENTS:

The applicant has submitted a Final Planned Residential Development to allow two residential structures to be constructed on the property to be used as group homes. In particular, the applicant has indicated that each residential structure will provide a group home for five clients and that one staff member per residence will be on the property at all times. In addition, a shared courtyard with a privacy fence will be constructed between the two residential structures.

On December 10, 2009, the Planning Commission approved an Initial Planned Residential Development (File #09PD101) to allow two residential structures to be constructed on the property to be used as group homes.

The property is located in the northeast corner of the intersection of Allen Avenue and North Street. Currently, the property is void of any structural development.

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STAFF REVIEW:

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

Use: The applicant has indicated that the two proposed residences will be constructed on the property to serve as group homes for the Black Hills Workshop. In particular, each residential structure will be used to house five clients. In addition, one staff member will be at each residence at all times. The applicant has indicated that the staff will rotate in and out throughout the day, working regularly scheduled shifts. The applicant has also indicated that the goal is to create a home-like environment for the clients, each having their own bedroom and sharing the bathrooms, kitchen, dining and living room areas. In addition, a shared courtyard is proposed to be constructed between the two residences. The applicant's site plan also shows a privacy fence constructed along the west side of the courtyard.

Chapter 17.04.350 of the Rapid City Municipal Code states that a group home means "an activity providing personal assistance to six or more individuals unrelated by blood marriage who, by reason of mental or physical disability, addiction to drugs or alcohol, or family and school adjustment problems, require specialized attention and care in order to achieve personal independence. Such assistance must include board and room, and may include counseling, rehabilitative services and other incidental services customarily provided by group homes. This shall not include missions, detoxification centers or detention centers". Based on the applicant's description of the proposed use of the property, it is identified as a group home as per Chapter 17.04.350 of the Rapid City Municipal Code.

Staff recommends that a group home be allowed on the property as defined by Chapter 17.04.350 of the Zoning Ordinance. This shall not include missions, detoxification centers or detention centers. In particular, the two proposed residences shall be used as a group home with a maximum of five clients and one staff member per home. However, the Planned Residential Development will 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 two years. In addition, any change and/or expansion in use will require that a Major Amendment to the Planned Residential Development be obtained.

Design Features: The applicant has submitted elevations of the proposed structures identifying each as a one story structure with a pitched roof. In addition, the structures will be constructed with wood, simulated wood, glass and asphalt shingles. The applicant has also indicated that the colors of the building will be earth tone in shades of brown. Staff recommends that the structures conform architecturally to the plans and elevations and color palette submitted as part of this Final Planned Residential Development.

Landscaping Plan: A minimum of 17,204 landscape points are required on the lot. The applicant has submitted a landscaping plan showing 21,750 landscape points on the lot. Staff recommends that the landscaping be provided as proposed. In addition, the landscaping plan must comply with all requirements of the Zoning Ordinance. All landscaping must also be continually maintained in a live vegetative state and replaced as

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necessary.

Parking: The Parking Regulations require that 0.5 parking spaces per unit or sleeping room be provided. Based on this calculation, a minimum of five parking spaces must be provided. In addition, one of the parking spaces must be "van" handicap accessible. The applicant has submitted a parking plan identifying six parking spaces with two "van" handicap accessible spaces.

Staff recommends that a minimum of five parking spaces be provided as required. In addition, one of the parking spaces must be "van" handicap accessible spaces. All provisions of the Off-Street Parking Ordinance must be continually met.

Fencing: The site plan identifies a privacy fence to be constructed along the west side of the shared courtyard. The applicant has submitted an elevation identifying the privacy fence constructed as a 5 foot high white vinyl privacy fence with a one foot high vinyl lattice design at the top for a total height of 6 feet.

Staff recommends that the privacy fence conform architecturally to the plans and elevations and color palette submitted as part of this Final Planned Residential Development.

Drainage Plan: Currently, regional drainage flows along the eastern portion of the property. Prior to Planning Commission approval, a Major Drainage Easement must be recorded at the Register of Deed's Office to insure that future development of the site does not encroach into this area of the property. In addition, a copy of the recorded easement must be submitted to the Growth Management Office.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the April 8, 2009 Planning Commission meeting if these requirements have not been met.