

STAFF REPORT
July 22, 2010

**No. 09PD053 - Planned Residential Development - Final ITEM 2
Development Plan**

GENERAL INFORMATION:

APPLICANT	Greg Amble for Good Samaritan Society
AGENT	FMG, Inc.
PROPERTY OWNER	Good Samaritan Society
REQUEST	No. 09PD053 - Planned Residential Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	An unplatted parcel of land located in the SE1/4 SW1/4 and the SW1/4 SE1/4 and the NE1/4 SE1/4 and the NW1/4 SE1/4 and the SW1/4 NE1/4 and less Lot A of the W1/2 SE1/4, Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 199.0 acres
LOCATION	West of S.D. Highway 79 (Sturgis Road) and south of Hidden Valley Road
EXISTING ZONING	Medium Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (Planned Residential Development)
East:	General Agriculture District - Low Density Residential District
West:	General Agriculture District - Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/23/2009
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Final Development Plan to allow the construction of townhomes with attached garages and the construction of the utilities and roads to serve the townhomes be continued to the **August 5, 2010 Planning Commission meeting.**

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GENERAL COMMENTS:

(Update: July 12, 2010. All revised and/or added text is shown in bold print.) This item was continued at the June 24, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. To date, the information has not been submitted for review and approval. As such, staff recommends that the Final Residential Development Plan be continued to the August 5, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

(Update: June 11, 2010. All revised and/or added text is shown in bold print.) This item was continued at the June 10, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. To date, the information has not been submitted for review and approval. As such, staff recommends that the Final Residential Development Plan be continued to the July 22, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

(Update: May 28, 2010. All revised and/or added text is shown in bold print.) This item was continued at the May 27, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. To date, the information has not been submitted for review and approval. As such, staff recommends that the Final Residential Development Plan be continued to the June 24, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

(Update: May 17, 2010. All revised and/or added text is shown in bold print.) This item was continued at the April 22, 2010 Planning Commission meeting to allow staff to hold a meeting with the applicant and representatives from the neighborhood to further discuss the design of St. Martins Drive. Subsequently, on May 11, 2010, staff met with the applicant(s) and their consultant and two area property owners. Two options to further slow and/or discourage traffic along St. Martins Drive were discussed as follows: 1) to narrow the driving lanes adjacent to the two landscape islands proposed within the street from 12 foot wide, 16 foot face of curb to face of curb, to 10 foot wide lanes which would provide a 14 foot face of curb to face of curb; and, 2) to add four speed tables along the street in order to maintain slower speeds.

The Fire Department reviewed the two options and noted that they could not support narrowing the width of the lanes adjacent to the landscape islands. In particular, the Fire Department noted that a minimum 12 foot wide lane, 16 foot face of curb to face of curb, is needed to insure that adequate access for all fire apparatus is provided.

To date, revised construction plans showing the speed tables has not been submitted for review and approval. In addition, the balance of the outstanding issues as noted below have not been addressed. As such, staff recommends that the Final Residential Development Plan be continued to the June 10, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

(Update: April 12, 2010. All revised and/or added text is shown in bold print.) This item was

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continued at the April 8, 2010 Planning Commission meeting to allow the applicant to submit additional information and to address outstanding issues.

On February 4, 2010, the Planning Commission recommended approval of a Vacation of Right-of-way request (File #10VR001) to vacate approximately 3,000 linear feet of St. Martin's Drive right-of-way located north of the intersection of Jake Road and St. Martins Drive. This request has been continued to the April 19, 2010 City Council meeting to allow the applicant additional time to provide temporary access easements to insure that the existing St. Martins Drive will remain in place until such time as the alternate street is constructed and accepted by the City and the associated H Lots are recorded. As of this writing the temporary access easements have not been submitted for review and approval and/or recorded. As noted above, the H Lots also have not been submitted nor have the deeds been signed and/or recorded.

On April 6, 2010, staff met with two area property owners and Alderperson Karen Gunderson Olson to discuss additional traffic calming proposals along St. Martins Drive. At the meeting, the property owners submitted a written request that two traffic roundabouts be installed along St. Martins Drive and that the main entrance to the assisted care facility be redesigned to face north rather than south. Both proposals are intended to discourage traffic into the residential neighborhood located south of the proposed Good Samaritan project. Other traffic calming design methods were discussed at the meeting which included narrowing the travel lanes and constructing speed tables along the street.

Staff noted that the Initial Residential Planned Development for the assisted living center facility was approved by the Planning Commission on October 25, 2007. The design of the street was discussed at that time and the applicant was required to design the street with curves and landscape islands to serve as traffic calming devices. A site plan was approved as a part of the Initial Planned Residential Development which identifies a curved street and landscape islands at the south end of the street and at the intersection with St. Martins Circle. The applicant's site plan submitted with the Final Development Plan application complies with the site plan approved as a part of the Initial Planned Commercial Development. While staff is supportive of additional measures to address the neighborhood traffic concerns and provide a safe pedestrian friendly environment, staff cannot require additional changes in the proposed street design as the design that has been submitted complies with the plan approved by the Planned Commission.

It was suggested at the meeting that the Planning Commission request that staff hold a neighborhood meeting to further discuss the design of the street. Staff subsequently notified the developer's consultant of the request to hold a neighborhood meeting. To date, the developer has not responded to that request.

In addition, the balance of the outstanding issues as noted below have not been addressed. As such, staff recommends that the Final Residential Development Plan be continued to the May 27, 2010 Planning Commission meeting to allow the applicant additional time to address the outstanding issues.

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(Update: March 26, 2010. All revised and/or added text is shown in bold print.) This item was continued at the March 25, 2010 Planning Commission meeting to allow the applicant to submit additional information and to address outstanding issues.

On February 4, 2010, the Planning Commission recommended approval of a Vacation of Right-of-way request (File #10VR001) to vacate approximately 3,000 linear feet of St. Martin's Drive right-of-way located north of the intersection of Jake Road and St. Martins Drive. This request has been continued to the April 5, 2010 City Council meeting to allow the applicant additional time to provide temporary access easements to insure that the existing St. Martins Drive will remain in place until such time as the alternate street is constructed and accepted by the City and the associated H Lots are recorded. As of this writing the temporary access easements have not been submitted for review and approval and/or recorded. As noted above, the H Lots also have not been submitted nor have the deeds been signed and/or recorded.

The balance of the outstanding issues as noted below have not been addressed. Staff recommends that the Final Residential Development Plan be continued to the April 22, 2010 Planning Commission meeting to allow the applicant additional time to address the outstanding issues.

(Update: March 12, 2010. All revised and/or added text is shown in bold print.) This item was continued at the March 4, 2010 Planning Commission meeting to allow the applicant to submit additional information and to address outstanding issues.

On December 17, 2009, the applicant submitted a design report for the detention ponds to be constructed as a part of this project. Staff has reviewed the report and has noted minor revisions that must be completed.

On February 4, 2010, the Planning Commission approved a SDCL 11-6-19 Review (File #10SR001) to relocate a portion of St. Martins Drive as it extends through the property. The SDCL 11-6-19 Review included authorizing the acceptance of three H Lots for the alternate street location and the construction of the street. On February 16, 2010, the City Council authorized the preparations of the H-Lots and authorized acceptance of the deeds. As of this writing, the H lots have not been submitted nor have the deeds been signed and/or recorded.

On February 4, 2010, the Planning Commission recommended approval of a Vacation of Right-of-way request (File #10VR001) to vacate approximately 3,000 linear feet of St. Martin's Drive right-of-way located north of the intersection of Jake Road and St. Martins Drive. This request has been continued to the April 5, 2010 City Council meeting to allow the applicant additional time to provide temporary access easements to insure that the existing St. Martins Drive will remain in place until such time as the alternate street is constructed and accepted by the City and the associated H Lots are recorded. As of this writing the temporary access easements have not been submitted for review and approval and/or recorded. As noted above, the H Lots also have not been submitted nor have the deeds been signed and/or recorded.

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The balance of the outstanding issues as noted below have not been addressed. Staff recommends that the Final Residential Development Plan be continued to the April 8, 2010 Planning Commission meeting to allow the applicant additional time to address the outstanding issues.

(Update: February 22, 2010. All revised and/or added text is shown in bold print.) This item was continued at the January 21, 2010 Planning Commission meeting to allow the applicant to submit additional information and to address outstanding issues.

On December 17, 2009, the applicant submitted a design report for the detention ponds to be constructed as a part of this project. Staff has reviewed the report and has noted minor revisions that must be completed.

On February 4, 2010, the Planning Commission approved a SDCL 11-6-19 Review (File #09SR110) to construct a water reservoir and water line to serve the senior living campus. In particular, it was identified that the reservoir will hold approximately 750,000 gallons of water and will be served by a 16 inch transmission pipeline. In addition, a 450 square foot valve house will be constructed adjacent to the reservoir. The applicant also entered into an agreement with the City of Rapid City, committing up to \$1,000,000 from the City's .16 Fund to construct the facility. Upon completion, the facility will become part of the City's infrastructure.

On February 4, 2010, the Planning Commission approved a SDCL 11-6-19 Review (File #10SR001) to relocate a portion of St. Martins Drive as it extends through the property. The SDCL 11-6-19 Review included authorizing the acceptance of three H Lots for the alternate street location and the construction of the street. On February 16, 2010, the City Council authorized the preparations of the H-Lots and authorized acceptance of the deeds. As of this writing, the H lots have not been submitted nor have the deeds been signed and/or recorded.

On February 4, 2010, the Planning Commission recommended approval of a Vacation of Right-of-way request (File #10VR001) to vacate approximately 3,000 linear feet of St. Martin's Drive right-of-way located north of the intersection of Jake Road and St. Martins Drive. This request has been continued to the March 1, 2010 City Council meeting to allow the applicant additional time to provide temporary access easements to insure that the existing St. Martins Drive will remain in place until such time as the alternate street is constructed and accepted by the City and the associated H Lots are recorded. As of this writing the temporary access easements have not been submitted for review and approval and/or recorded. As noted above, the H Lots also have not been submitted nor have the deeds been signed and/or recorded.

The balance of the outstanding issues as noted below have not been addressed. Staff recommends that the Final Residential Development Plan be continued to the March 25, 2010 Planning Commission meeting to allow the applicant additional time to address the outstanding issues.

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(Update: December 29, 2009. All revised and/or added text is shown in bold print.) This item was continued at the November 19, 2009 Planning Commission meeting to allow the applicant to submit additional information and to address outstanding issues. On December 17, 2009, the applicant submitted a design report for the detention ponds to be constructed as a part of this project. Staff has reviewed the report and has noted minor revisions that must be completed. To date, the balance of the information has not been submitted for review and approval. As such, staff recommends that the Preliminary Plat be continued to the March 4, 2010 Planning Commission meeting to allow the applicant to submit the additional information and to address the outstanding issues with the applicant's concurrence.

The applicant has submitted a Final Residential Development Plan to allow Phase One of the "Good Samaritan St. Martin Senior Living Campus" to be constructed on the property. In particular, Phase One will include constructing 100 one story townhomes with attached garages and constructing the utilities and roads to serve the townhomes. The applicant has indicated that the development will be constructed in five phases and is intended to provide a senior citizen campus with a wide range of living options.

On October 25, 2007, the Planning Commission approved an Initial Residential Development Plan (#07PD075) for all five phases to allow an assisted living center, a skilled care facility, a retreat center, a townhome development and an apartment complex to be constructed on the property.

On November 5, 2007, the City Council approved a Comprehensive Plan Amendment to the Major Street Plan (#07CA042) to eliminate collector streets extending through the property. In addition, the City Council approved a Rezoning request (#07RZ064) to change the zoning designation of the property from General Agriculture District to Medium Density Residential District.

The property is located west of S.D. Highway 79, also known as Sturgis Road, and south of Hidden Valley Road. Saint Martin's Drive, extending west from Sturgis Road and City Springs Road, extending from the south, provide access to the site. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Drainage: The Initial Residential Development Plan was approved with the stipulation that "upon submittal of a Final Residential Development application, a final drainage plan and calculations in compliance with the South Canyon Lake/Lime Creek Drainage Basin Plan shall be submitted for review and approval. In particular, the drainage information shall include the phasing plan for the drainage improvements and demonstrate adequate pipe sizes, collection system and size of detention areas. In addition, drainage easements shall be recorded as needed. An agreement shall also be entered into with the City for the

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funding, design schedule and construction of regional drainage facilities as required for this development.”

The applicant’s site plan identifies that three on-site detention ponds will be constructed on the property to accommodate the drainage flows. A portion of the detention pond(s) will be constructed within the 100 year Federally designated Floodplain located on the property. The applicant has indicated that a complete design report for the detention ponds will be submitted for review and approval. In addition, the applicant has indicated that a Letter of Map Revision will be submitted to the Federal Emergency Management Agency for the construction within the Federally designated Floodplain.

Staff recommends that the Final Residential Development Plan be continued to allow the applicant to submit the complete design report for the detention ponds and to obtain a Letter of Map Revision from the Federal Emergency Management Agency to insure that drainage is being addressed as a part of the construction of the project. In addition, drainage easements must be recorded as needed. Please note that an agreement has been entered into with the City for the funding, design schedule and construction of regional drainage facilities as required for this development.

Water: The Initial Residential Development Plan was approved with the stipulation that upon submittal of a Final Residential Development Plan, water system plans prepared by a Registered Professional Engineer showing the location and design of the water reservoir and booster stations to serve the proposed development be submitted for review and approval. To date, the water system plans for the reservoir and booster stations have not been submitted for review and approval. As such, staff recommends that the Final Residential Development Plan be continued to allow the applicant to submit the required information.

The applicant should also be aware that since the existing water system is inadequate to serve the proposed development, the water reservoir must be constructed and operational before a Certificate of Occupancy is issued.

Oversize costs must also be submitted to the Public Works Department for that portion of the water system that qualifies for oversize cost reimbursement by the City. An Exception must also be obtained to allow the proposed water main to be located on the west side of the street in lieu of the east side of the street as per the Street Design Criteria Manual.

Easements: The applicant’s site plan identifies vacating portions of existing utility easements currently located on the property. In addition, the location of proposed utility easements is shown on the site plan to accommodate the extension of utilities to serve the development. Several of the townhomes are shown to be constructed within the existing utility easements. As such, prior to Planning Commission approval of the Final Residential Development Plan, the existing easements must be vacated. In addition, the alternative utility easements must be recorded and a copy of the recorded easements submitted to the Growth Management Office.

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Right-of-way: The applicant's site plan identifies vacating a portion of St. Martins Drive, Academy Road and an existing 66 foot wide right-of-way easement for City Springs Road. The applicant has also submitted copies of H lots to relocate the southern and northern portions of City Springs Road as it connects with St. Martins Drive. Several of the townhomes are shown to be constructed within the existing street rights-of-way and/or easements. As such, prior to Planning Commission approval of the Final Residential Development Plan, the existing street rights-of-way and/or easements must be vacated. In addition, the H Lots must be recorded to secure access to the development and to the surrounding properties. The applicant should be aware that all abutting property owners must sign the petition to vacate the right-of-way and/or easement prior to submittal of the Vacation requests to the Growth Management Office.

Design Features: The Initial Residential Development Plan was approved with the stipulation that "upon submittal of a Final Residential Development Plan application, elevations of the proposed structures be submitted for review and approval. In addition, a list of building materials and color palette shall be submitted for review and approval". The applicant has submitted elevations showing three typical townhome designs to be used throughout the development. The townhomes are one story structures with attached garages and a peaked roof. However, the elevations do not identify whether they are drawn to scale and do not include the height of the buildings or a list of building materials and color palette.

Staff recommends that the Final Residential Development Plan be continued to allow the applicant to submit scaled drawings of the proposed structures with a complete list of building materials and color palette.

Townhome Driveways: The Initial Residential Development Plan was approved with 13 townhome driveways designed to back directly into City Springs Road. The revised site plan submitted with the Final Residential Development Plan identifies nine townhome driveways in lieu of 13 driveways designed to back into City Springs Road. The reduction in the number of driveways designed to back into the street is an improvement since City Springs Road is a collector street and since the street is being designed with curves to serve as traffic calming devices.

Staff recommends that no more than nine townhome driveways be allowed to back into City Springs Road as per the applicant's site plan.

Use: The applicant has indicated that the development will consist of 100 townhome units, 100 senior apartment units, 48 assisted living apartments, 60 skilled care beds and a retreat center with 20 guest rooms. The applicant has indicated that the retreat center will host Good Samaritan Society meetings and retreats accessory to the principal use of the property as a senior care facility and will not be open to the public. In addition, the following amenities will be provided within the senior apartments and assisted living facility: restaurant style dining, coffee shop, library, pool, Jacuzzi and locker rooms, fitness center, chapel, theater, private dining and meeting rooms, craft and game rooms, beauty salon and a general store. These amenities will also only be open to the residents of the facility and their guests and will not be open to the public. As such, these uses appear to be

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customarily accessory uses as allowed pursuant to Section 17.50.210 of the Rapid City Municipal Code.

The applicant has also indicated that the development will be constructed in five phases as follows:

Phase One:

- Construction of 100 townhomes to be built one or two at a time over a two to three year period. The construction of the townhomes will commence in the spring of 2010;
- Infrastructure (utilities and roads to serve the townhomes) to commence in the fall of 2009 and completed in the summer of 2010; and,

Phase Two:

- 50 apartment units and common area to commence in the spring of 2011 and be completed in the spring of 2012;
- 24 assisted living units to commence in the spring of 2011 and completed in the spring of 2012; and,

Phase Three:

- 50 apartment units to commence in the spring of 2010;
- 24 assisted living units to commence in the spring of 2011; and,

Phase Four:

- 30 skilled care beds to commence in the spring of 2014 (subject to the State's current skilled nursing bed moratorium being lifted); and,

Phase Five:

- 30 skilled care beds to commence in the spring of 2016 (subject to the State's current skilled nursing bed moratorium being lifted).

Staff recommends that the Final Planned Residential Development be approved for Phase One to allow the construction of 100 townhomes and the utilities and roads to serve the townhomes. Any change in the proposed use must be specifically authorized as a stipulation of the Final Residential Development Plan application or a subsequent Major Amendment to the Residential Development Plan. A Major Amendment to the Planned Residential Development must also be obtained for each subsequent phase of the development since the design and construction plans for these future phases was not included in this application. In addition, the Planned Residential Development shall expire if the use is not undertaken and completed as per the phasing plan schedule, with the final phase of development commencing in the Spring of 2016, or if the use as approved has ceased for a period of two years.

Parking: A minimum of two off-street parking spaces must be provided for each townhome at the location of the townhome. In addition, visitor parking must be provided for the proposed townhome units at a rate of one visitor parking space per residential unit located within 300 feet of the residence for a total of 50 visitor parking spaces.

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A two car attached garage is being constructed with each townhome unit. In addition, the applicant's site plan identifies two off-street parking spaces in front of each garage. The site plan also identifies 50 visitor parking spaces located within 300 feet of the residences. The proposed parking plan is in compliance with the City's adopted Parking Regulations.

The applicant should be aware that upon submittal of a Final Residential Development Plan for the future phases of the development, parking must be addressed for each phase. In particular, the applicant must identify the number of residents and employees within the senior apartments, assisted living center and the skilled care facility in order to determine the number of required parking spaces. In addition, a minimum of one parking space per guest room within the retreat center must be provided.

Signage: The applicant has submitted a sign package showing three ground signs to be located within the development identifying the project. The signs are shown to be located at the southeast corner of the intersection of St. Martins Drive and St. Martins Place, the southeast corner of the intersection of City Springs Road and St. Martins Circle and the south end of St. Martins Drive. Each ground sign measures 6 feet in height by 8 feet in width and is constructed with wood, brick or stone and with hardboard trim. To date, the color of the signs has not been identified nor has it been identified if the signs will be illuminated. Prior to Planning Commission approval, the applicant must submit a complete sign package identifying the proposed color(s) of the signs and identify any external or internal illumination.

St. Martins Drive: The applicant has submitted design plans showing the construction of a turn lane at the eastern terminus of St. Martins Drive as it intersects with Sturgis Road. The turn lane is in compliance with the recommendations of the Traffic Impact Study reviewed and approved as a part of the Initial Residential Development Plan. Sturgis Road is a State highway. As such, prior to the Planning Commission approval of the Final Residential Development Plan, an Approach Permit and a Permit to Work in the Right-of-way must be obtained from the South Dakota Department of Transportation. In addition, prior to issuance of a Certificate of Occupancy, the street improvement must be completed.

City Springs Road: City Springs Road extends through the property and is classified as a collector street on the City's Major Street Plan. The applicant has submitted construction plans showing the street located within a 100 foot wide right-of-way and constructed with a 24 foot wide paved surface, standard curb and gutter and a sidewalk along the east side of the street. In addition, the street will be posted "no parking". This meets the design standards reviewed and approved as a part of the Initial Residential Development Plan. In addition, the street has been designed with several curves and separated lanes at the south end of the street and at the intersection with St. Martins Circle to serve as traffic calming devices.

Staff recommends that prior to issuance of a Certificate of Occupancy, the street be constructed as per the approved plans.

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Private Driveways: As a part of this phase of the development, the following private driveways will be constructed and secured within utility easements: North Court, Middle Court, a portion of St. Martins Circle and the first 100 feet of Retreat Road. The applicant has submitted construction plans showing the private driveways constructed with a 22 foot wide paved surface, roll curb and gutter and a sidewalk on one side of the street, with the exception of Retreat Road which does not show any sidewalk. However, staff has noted that a sidewalk must be provided along one side of Retreat Road to secure a pedestrian walkway between the retreat center located at the terminus of the private driveway and the balance of the uses on the property. In addition, a sidewalk was required as a part of review and approval of the Initial Residential Development Plan.

The construction plans also show a landscape island proposed within the cul-de-sac bulb located at the terminus of North Court and Middle Court. The Fire Department has indicated that the design of the landscape islands will allow sufficient fire apparatus access.

Staff recommends that prior to Planning Commission approval of the Final Residential Development Plan, the construction plans be revised to show a sidewalk along one side of Retreat Road. In addition, prior to issuance of a Certificate of Occupancy, the streets must be constructed as per the approved plans.

Lot A: Lot A is surrounded by this project but is not a part of the Planned Residential Development. Currently, three homes are located on Lot A. A driveway extends south from City Springs Road across the applicant's property to provide access to the three residences. The applicant's site plan does not identify whether the existing driveway is located within an access easement nor does it show existing utilities to the three residences and whether they are located within easements. As such, staff recommends that prior to Planning Commission approval of the Final Residential Development Plan, the applicant must submit a site plan showing the location of the utilities. In addition, the applicant must submit copies existing recorded utility and access easements or easements must be recorded at the Register of Deed's Office as needed.

Street Names: The Emergency Services Communication Center has indicated that alternate street names must be submitted for review and approval for St. Martins Place, St. Martins Circle, St. Martins Lane, North Court and South Court. Prior to Planning Commission approval, the alternative street names must be submitted for review and approval and the construction plans must be revised to show the approved street names and the revised street name signs.

It has also been noted that a street name change will be submitted by City staff for review and approval for that portion of St. Martins Drive that extends north and south through the property in order to improve emergency responds to the facility. In particular, the street extending north and south must be named City Spring Road since it is a continuation of City Spring Road. The street extending east and west along the north lot line of the property will continue to be named St. Martins Drive.

Sidewalks: The site plans identify sidewalks within the street rights-of-way for City Spring Road

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and St. Martins Drive with the exception of that portion of the sidewalk located along the southwest corner of the intersection of the two streets. In order to provide a continuous pedestrian access through the property, staff recommends that this portion of the sidewalk be secured within a pedestrian access easement or the construction plans revised to show the sidewalk within the street right-of-way.

The site plan also identifies sidewalks along one side of the private driveways, with the exception of Retreat Road as addressed above. In addition, the site plan identifies sidewalks meandering through the site. The applicant has indicated that all of the sidewalks located outside of the right-of-way will be open to the public unless the public creates nuisances, at which time the property owner retains the right to close the sidewalks to the public.

Staff is currently reviewing possible locations for a bike/pedestrian access connection to the Forest Service property located west of this site. Staff will coordinate a meeting with the applicant to discuss the issue further.

Landscaping: The applicant has submitted a landscaping plan that identifies existing natural grasses and existing trees within this phase of the development. However, this area of the project does not currently have many trees. As such, staff recommends that prior to issuance of a Certificate of Occupancy, a minimum of one tree be planted in the front yard of each townhome unit.

Dumpster: The applicant has indicated that each townhome unit will have a typical residential trash receptacle. No community dumpster(s) are being proposed. Staff recommends that the trash receptacles be provided as proposed.

Lighting: The applicant has indicated that standard street lights will be provided for this phase of the development. No other lighting is being proposed. Staff recommends that the lighting be provided as proposed.

Air Quality Permit: An Air Quality Permit must be obtained prior to any surface disturbance of one acre or more. In addition, a separate permit will be required for each phase of the project.

Notification Requirement: The receipts from the certified mailing have been returned and the sign has been posted on the property. Staff has received several telephone calls regarding this item.