

STAFF REPORT
March 24, 2011

No. 11PD009 - Initial and Final Planned Residential Development to allow a Municipal Facility **ITEM 5**

GENERAL INFORMATION:

APPLICANT	Keith Johnson - Public Works Department - City of Rapid City
AGENT	CETEC Engineering Services, Inc.
PROPERTY OWNER	City of Rapid City
REQUEST	No. 11PD009 - Initial and Final Planned Residential Development to allow a Municipal Facility
EXISTING LEGAL DESCRIPTION	Tract J in the SW1/4 NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .52 acres
LOCATION	Skyline Drive at Flormann Street
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District (Planned Residential Development)
South:	Low Density Residential District (Planned Residential Development)
East:	Park Forest District (Planned Residential Development)
West:	Park Forest District (Planned Residential Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/11/2011
REVIEWED BY	Patsy Horton / Karley Halsted

RECOMMENDATION:

Staff recommends that the Initial and Final Planned Residential Development to allow a municipal facility be approved with the following stipulations:

1. The Initial and Final Planned Residential Development to allow a municipal facility shall not be effective until the property is rezoned from Park Forest District to Low Density Residential District;
2. A Building Permit and an Erosion Control Permit shall be obtained prior to construction of the control valve station, and a Certificate of Occupancy shall be obtained prior to occupancy;
3. Prior to issuance of a Building Permit for the proposed control valve station a Fence Height Exception shall be approved by City Council or the fence height must be

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4. reduced to 6 feet in height or removed from the proposed plan;
Prior to Planning Commission approval, the applicant shall submit a sign package for review and approval or verify that signage is not requested. Prior to installation or painting of a sign on the control valve station, the City Council shall approve the sign as an exempt sign from the requirements of the Sign Code or the City Council shall declare the sign a public purpose sign, or the sign shall be revised to meet the requirements of the Sign Code, or the sign shall be removed from the sign package. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Residential Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package and in compliance with the Sign Ordinance, shall be allowed as a Minimal Amendment to the Planned Residential Development. The addition of electronic signs shall require a Major Amendment to the Planned Residential Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s);
5. A minimum of two off-street parking spaces shall be continually provided. In addition, a minimum of one "van" handicap accessible space shall be provided at all times. The parking shall be installed and striped as per the approved parking plan and all provisions of the Off-Street Parking Ordinance shall be continually met;
6. A minimum of 22,410 landscaping points shall continually 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;
7. The proposed structure shall conform architecturally to the proposed elevations, design plans, color palette and general design comments submitted as part of this Planned Residential Development. Modifications in the building elevations and design that are consistent with the approved elevations and structural development may be approved as a Minimal Amendment to the Planned Residential Development;
8. All plans submitted for a Building Permit shall be stamped by a licensed architect or professional engineer as per SDCL 36-18A;
9. Prior to Planning Commission approval, the site plan and construction plans shall be revised to include a sidewalk along Skyline Drive as per Section 12.16.080 of the Rapid City Municipal Code or the applicant shall obtain a variance from the City Council waiving the sidewalk installation;
10. An Air Quality Permit shall be obtained prior to the disturbance of one acre or more of surface area;
11. The Planned Residential Development, as submitted, allows a 26.72 foot and 26.83 foot reduction in the side yard setback in lieu of the required 35 foot side yard setback; and,
12. 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 a period of two years.

GENERAL COMMENTS: (Update: March 10, 2011. All revised and/or added text is shown in bold print.) This item was continued at the March 10, 2011 Planning Commission

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meeting to allow the applicant to meet the stipulations of approval. The applicant submitted a revised site plan to include construction of a sidewalk along Skyline Drive as required. The applicant also provided written documentation indicating that there will be no signage on the property. As such, staff recommends that the Initial and Final Residential Development Plan be approved with the stipulations as outlined above.

The applicant has submitted an Initial and Final Residential Development Plan to construct a municipal facility in the Park Forest Zoning District. In particular, the applicant is proposing to construct a control valve station on the property to enhance operations of the existing underground water reservoir located west of Skyline Drive and Flormann Street. A water storage reservoir is not a permitted use within the Park Forest Zoning District. However, the applicant has submitted a Comprehensive Plan Amendment request (#11CA002) and a Rezoning request (#11RZ001) to rezone the property from Park Forest District to Low Density Residential District in conjunction with this application for an Initial and Final Planned Residential Development.

STAFF REVIEW: Staff has reviewed the proposed municipal building use with respect to Criteria for Review for Conditional Use Permits as identified in Chapter 17.54.030(E) and has noted the following issues:

1. *The location, character and natural features of the property:*

The proposed single-story building will be a 240 square foot structure constructed using red-brown concrete shingles, brown tones for the split-faced CMU siding and doors. The proposed control valve station will be a maximum height of 27 feet. The existing underground water reservoir will not be disturbed. Staff recommends that the proposed structure conform architecturally to the plans, elevations and color palette approved as part of the Residential Development Plan.

2. *The location, character and design of adjacent buildings:*

There is one dwelling unit within 400 feet and one dwelling unit within 600 feet of the proposed structure. The design features for the proposed single story control valve station include brown and red-brown toned split-faced CMU materials. Staff recommends that the control valve station be constructed as per the approved plans. Staff finds that the design and character of the proposed building is consistent with the design and character of the neighborhood buildings.

A Building Permit must be obtained prior to any construction on the property and a Certificate of Occupancy must be obtained prior to occupancy. In addition, all plans submitted as part of a Building Permit application must be prepared by a registered professional as required per South Dakota Codified Law 36-18A. In addition, an Air Quality Permit must be obtained prior to the disturbance of one acre or more of surface area.

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3. *Proposed fencing, screening and landscaping:*

The site plan submitted by the applicant identifies an 8 foot high black chain link fence around the developed area of the water reservoir site. A maximum fence height of 6 feet is permitted in the Park Forest District. The applicant has submitted a Fence Height Exception (#11FV001) request in conjunction with this application. The Fence Height Exception will be considered by City Council on March 7, 2011. As such, staff recommends that prior to issuance of a Building Permit for the proposed water reservoir control valve station, a Fence Height Exception to allow the 8 foot tall fence must be approved by City Council, or the plan must be revised to identify a maximum 6 foot high fence or the fence must be removed from the proposed plan.

The applicant has also submitted a landscape plan with the application. Using the standard landscape point calculation, 22,410 landscape points are required on the property. The applicant has submitted a landscape plan that identifies that 4,000 landscape points are provided in the adjacent Skyline Drive right-of-way with the remaining balance on the property. This proposal falls within the allowable 25% of landscaping points within the adjacent right-of-way. Staff recommends that the proposed landscaping be installed as per the approved landscape plan and continually be maintained in a live vegetative state, kept free of debris and replaced when necessary.

4. *Proposed vegetation, topography and natural drainage:*

The topography of the property slopes to the south-southeast; however the majority of the property is relatively flat. A drainage plan was submitted with the application that includes an Erosion and Sediment Control Plan. Staff recommends that the proposed erosion control measures be installed as per the approved Erosion and Sediment Control Plan and continually be maintained to prevent stormwater runoff damage to adjacent properties.

5. *Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:*

A minimum of 2 parking spaces are required for the municipal water reservoir site. The applicant has submitted a parking plan that identifies 3 parking spaces will be provided on the property. In addition, one of the parking spaces will be a "van" handicap accessible space. The parking area will be paved in accordance with Chapter 17.50.270 of the Rapid City Municipal Code. Staff recommends that the parking be installed and continually maintained as per the approved parking plan.

This is a residential area requiring that pedestrian access be provided outside of the street. In addition, it has been the position of the City Council that a sidewalk be provided as a part of the development of a site to insure pedestrian safety within our community. The construction plans have omitted the inclusion of a sidewalk along Skyline Drive and required to be constructed at the time a building permit is issued for the property. Prior to Planning Commission approval, the site plan and construction

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plans must be revised to include the sidewalk or the applicant needs to obtain a variance to waive the sidewalk requirements.

6. *Existing traffic and traffic to be generated by the proposed use:*

The proposed water reservoir control valve station is located in a sparsely populated residential area. Public property intended for recreational trails is located on three sides of the site with a residential site immediately adjacent to the east. Minimal maintenance traffic is anticipated for the water reservoir control valve station. Both Skyline Drive and Flormann Street are identified as collector streets designed to accommodate the traffic generated by the neighborhood. As such, staff finds that the existing road network surrounding the proposed water reservoir control valve station/municipal building use will sufficiently accommodate any additional traffic generated by the proposed use.

7. *Proposed signs and lighting:*

A sign package has not been submitted with the application. However, based on the proposed facility, a one square foot sign is allowed. Prior to Planning Commission approval, the applicant shall submit a sign package for review and approval if the applicant anticipates installing a sign on the building.

All proposed signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Residential Development Plan. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Residential Development. No electronic signs are being proposed as a part of this Final Development Plan. Staff is recommending that the addition of electronic signage will require a Major Amendment to the Planned Residential Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign.

8. *The availability or public utilities and services:*

Public Works Department staff review has noted that the existing underground water reservoir and proposed control valve station provides the necessary water services for the neighborhood and overall efficiency of the Rapid City water system.

9. *The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:*

One of the goals of any Future Land Use Plan is to encourage compact and contiguous growth along the City's fringe that is linked to both the levels of demand and the market and to the orderly extension and efficient use of public improvements, infrastructure and services. Amending the Comprehensive Plan will help protect the existing stable neighborhood by encouraging in-fill and full utilization of properties currently served by or

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in close proximity to infrastructure. The proposed change from Park Forest to Low Density Residential is consistent with the intent of the neighborhood preservation goal of the adopted Comprehensive Plan.

10. The overall density, yard, height and other requirements of the zone in which it is located:

The Park Forest District is intended to provide the city with an area to be preserved for its natural beauty and open character. A water storage reservoir is not a permitted use within the Park Forest Zoning District. However, the applicant has submitted a Comprehensive Plan Amendment request (#11CA002) and a Rezoning request (#11RZ001) to rezone the property from Park Forest District to Low Density Residential District in conjunction with this application for an Initial and Final Planned Residential Development. The site plan identifies a side yard setback of 26.72 feet and 26.83 feet in lieu of the required 35 foot setback for nonresidential principal structures.

The front yard setback requirement identifies structures to be placed at least 35 feet from the front property line. The rear yard setback requirement is 50 feet from the property line. The proposed control valve station is located 35.35 feet from the front property line and 26.83 feet from the rear property line. As such, staff recommends that the planned development allows for the reduction in the required rear and side yard setbacks. The proposal meets or exceeds all other density, yard and height requirements.

11. The effects of noise, odor, smoke, dust, air and water pollution and the degree of control through which clarifiers, screening, setbacks and orientation:

The existing underground water reservoir and proposed control valve station is located within a sparsely populated residential area. The building contains only water valves used to enhance the efficiency of the reservoir. Staff finds that the proposed use will not lead to any increased adverse effects of noise, odor, smoke, dust, air or water pollution on the immediate or surrounding area.

12. The degree to which conditions imposed will mitigate and probably adverse impacts of the proposed use on existing adjacent uses:

There have been no additional conditions regarding the location, character or other features of the proposed use or buildings imposed on the proposed development.

Staff has reviewed this request with respect to the four criteria established for Planned Residential Developments (PRD) and Planned Development Designations (PDD) identified in Section 17.50.080.

1. A PRD or PDD may be permitted in GAD, PF, LDR-1, LDR-2, MDR, HDR and MHR zoning districts.

This Initial and Final Planned Residential Development Plan is located within the Park

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Forest Zoning District. However, the applicant has submitted a Comprehensive Plan Amendment request (#11CA002) and a Rezoning request (#11RZ001) to rezone the property from Park Forest District to Low Density Residential District in conjunction with this application for an Initial and Final Planned Residential Development.

- 2. A PRD may include single-family detached units, townhouses, two-family dwellings, recreational facilities, mobile and manufactured homes, other uses such as child care centers and temporary sales offices which may be permitted in residential zoning districts, and multiple-family dwellings.*

This Initial and Final Planned Residential Development is located within the Park Forest District. However, the applicant has submitted a Comprehensive Plan Amendment request (#11CA002) and a Rezoning request (#11RZ001) to rezone the property from Park Forest District to Low Density Residential District in conjunction with this application for an Initial and Final Planned Residential Development. Pursuant to Chapter 17.10.030 of the Rapid City Municipal Code municipal buildings and uses in keeping with the character and requirements of the district are allowed as a conditional use.

- 3. In the LDR-1, LDR-2 and PF zoning districts, no more than 30% of the total permitted number of dwelling units in a PRD shall be 2-family or multiple-family units.*

This Initial and Final Planned Residential Development Plan is to allow a municipal building. No dwelling units are proposed on the site.

- 4. Density shall not be greater than the maximum density of the zoning district in which the PRD is located, unless certain criteria are met. In no case shall density exceed 115% of the maximum density permitted in the zoning district in which the PRD is located. Density bonuses may be awarded.*

This Initial and Final Residential Development Plan is to allow a municipal building. No dwelling units are proposed on the site and therefore density bonuses are unnecessary.

- 5. Recreation facilities proposed in the PRD shall be constructed to served the individual development or the entire PRD prior to building permits being issued for more than 40% of the total number of approved dwelling units.*

This Initial and Final Residential Development Plan is to allow a municipal building. No dwelling units are proposed on the site and therefore density bonuses are unnecessary.

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

Staff recommends that the Initial and Final Residential Development Plan be approved with the stipulations as outlined above.