

STAFF REPORT
March 24, 2011

No. 11PD011 - Major Amendment to a Planned Residential Development **ITEM 18**

GENERAL INFORMATION:

APPLICANT	Robert Drew - Eagle Ridge II, LP
AGENT	Neil Eichstadt - FourFront Design, Inc.
PROPERTY OWNER	Eagle Ridge Properties, LLC
REQUEST	No. 11PD011 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lots 2A and 2B of Block 1 of Black Hills Center, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.87 acres
LOCATION	121 Stumer Road
EXISTING ZONING	Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Design Residential District
South:	Highway Services District (Pennington County)
East:	Office Commercial District
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/25/2011
REVIEWED BY	Vicki L. Fisher / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development be approved with the following stipulations:

1. The landscaping along the west lot line shall be planted no later than August 1, 2011. All landscaping shall be planted in compliance with the approved landscaping plan and shall comply with all approved requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary. Any change in the approved landscaping plan shall require a Major Amendment to the Planned Residential Development;

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2. Prior to Planning Commission approval, an easement shall be secured to allow the construction of a traffic control island within the approach along Stumer Road;
3. A fence shall continually be maintained along the west lot line in compliance with the approved design plans;
4. The retaining wall(s) shall be constructed in compliance with the approved design plans. In addition, the wall(s) shall be constructed at the start of construction for Phase Two;
5. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
6. Sediment and erosion control measures shall be continually maintained to preclude sediment from depositing onto the adjacent properties and/or rights-of-way. In addition, sediment and erosion control measures shall be maintained along the berm located along Catron Boulevard;
7. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
8. The proposed apartment buildings shall not exceed 38 feet, 9 3/8 inches in height as per the previously approved Exception request;
9. All provisions of the Zoning Ordinance shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment or a subsequent Major Amendment;
10. The dumpster(s) shall be screened on all four sides with an opaque screening fence;
11. A minimum of 231 parking spaces shall be provided with seven of the spaces being handicap accessible. In addition, one of the handicap spaces shall be "Van" accessible. A minimum of six planter islands shall be provided within the parking lot. Each planter island shall contain a minimum of 100 square feet, and provide a minimum of one tree with shrubs, groundcover and/or mulch covering at the base. All provisions of the Off-Street Parking Ordinance shall be continually met;
12. The International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. All of the residential dwelling units or structures shall be sprinklered;
13. A storm water discharge permit shall be obtained as needed;
14. A Permit to Work in the Right-of-way shall be obtained from the South Dakota Department of Transportation as needed;
15. The surety shall continually be provided as needed to insure that the landscaping, fencing and retaining wall are completed as per the approved plans;
16. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Major Amendment to the Planned Residential Development; and,
17. The Planned Residential Development shall allow for the construction of a 154 unit apartment complex with a leasing/administration office, tot lots and accessory garages on the property. The time to complete the Planned Residential Development shall be extended two years from the date of approval by the Planning Commission. However, the Planned Residential Development shall expire if the use is not undertaken and completed within the two years or if the use as approved has ceased for two years.

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GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Residential Development to extend the time to plant the landscaping along the west lot line. The property is the site of the Eagle Ridge Apartments.

On November 10, 2005, the Planning Commission approved an Initial and Final Residential Development Plan (#05PD070) for the Eagle Ridge Apartments to allow a 146 unit apartment complex with accessory structures to be constructed on the property. In particular, the project was approved to be constructed in two phases with Phase One consisting of eight-12 plexes, a leasing/administration office, a basketball court and accessory garages and Phase Two consisting of three-12 plexes, two-eight plexes and accessory garages.

On January 24, 2008, the Planning Commission approved a Major Amendment to the Planned Residential Development (#07PD081) for Phase Two of the project.

A Major Amendment to the Planned Residential Development (09PD096) to extend the time to complete Phase Two of the project for two additional years was approved with stipulations by the Planning Commission on April 11, 2010 and upheld upon appeal by the City Council on May 17, 2010.

The property is located south of Stumer Road and north of Catron Boulevard. Currently, all of Phase One has been constructed. On February 2, 2011, the applicant obtained a building permit for Phase Two which is currently under construction.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Residential Development Plan and has noted the following considerations:

Landscaping: The previously approved Major Amendment to the Residential Development Plan stipulated that the landscaping along the west lot line be planted within 90 days of issuance of a building permit for Phase Two of the project. The building permit for Phase Two was issued February 2, 2011 requiring that the landscaping be planted no later than May 3, 2011. The applicant has requested that the time be extended to August 1, 2011 due to seasonal limitations and the availability of obtaining the trees as per the approved landscape plan. Based on these reasons, staff recommends that the time to complete the planting along the west lot line be extended to August 1, 2011 as requested. Please note that the applicant has posted surety for the fence, retaining wall and landscaping to be placed along the west lot line which secures that the improvements will be completed as required.

Easement: The City Council recently approved a Final Planned Commercial Development on property located north and west of this site to allow a 154,750 square foot "Walmart Supercenter" with an outdoor garden center, a 30,900 square foot mini-anchor retail store, a 16,000 square foot shopping center and a detention facility on the property. A stipulation of

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approval requires that a raised "pork chop" island be constructed at the Eagle Ridge Apartment entrance located along Stumer Road to serve as a traffic control device. The applicant has indicated that they are agreeable to granting an easement on their property within the approach along Stumer Road to allow the adjacent developer to construct the improvement. As such, staff recommends that prior to Planning Commission approval, an easement be secured to allow the construction of the traffic control island within the approach along Stumer Road.

Notification Requirement: The white slips from the certified mailings have been returned and the sign has been posted on the property. To date, the green cards have not been returned. Staff will notify the Planning Commission if this requirement is not met. As of this writing, staff has spoken with one neighbor regarding this application.

Staff recommends that the Major Amendment to the Planned Residential Development be approved with the stipulations of approval as outlined above.