

STAFF REPORT
October 27, 2011

No. 11PD039 - Initial and Final Residential Development Plan

ITEM 13

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	SSST, LLC
REQUEST	No. 11PD039 - Initial and Final Residential Development Plan
EXISTING LEGAL DESCRIPTION	A parcel of land located in the SW¼ of Section 16, T1N, R8E, BHM Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southwesterly corner of Section 16, T1N, R8E, thence, N69°02'14"E, a distance of 1414.46 feet, to a point on the northerly edge of East Minnesota Street right-of-way, and the point of beginning; Thence, first course: N45°27'18"W, along the northerly edge of said East Minnesota Street right-of-way, a distance of 518.29 feet; Thence, second course: northwesterly, along the northerly edge of said East Minnesota Street right-of-way, curving to the left, on a curve with a radius of 3050.00 feet, a delta angle of 07°24'33", a length of 394.41 feet, a chord bearing of N49°09'35"W, and chord distance of 394.14 feet; Thence, third course: N52°51'51"W, along the northerly edge of said East Minnesota Street right-of-way, a distance of 72.61 feet; Thence, fourth course: N07°51'51"W, along the northerly edge of said East Minnesota Street right-of-way, a distance of 35.36 feet, to the easterly edge of Marlin Drive right-of-way; Thence, fifth course: N37°08'09"E, along the easterly edge of said Marlin Drive right-of-way, a distance of 420.58 feet; Thence, sixth course: S52°48'12"E, a distance of 263.64 feet; Thence, seventh course: S43°24'43"E, a distance of 654.05 feet; Thence, eighth course: S00°51'22"E, a distance of 186.24 feet; Thence, ninth course: S40°52'56"W, a distance of 284.02 feet, to the said point of beginning.
PARCEL ACREAGE	Approximately 9.935 acres
LOCATION	At the east corner of the intersection of Marlin Drive and East Minnesota Street
EXISTING ZONING	Medium Density Residential District (Planned Development Designation)
SURROUNDING ZONING	

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North:	Medium Density Residential District (Planned Development Designation)
South:	General Commercial District (Planned Development Designation)
East:	Medium Density Residential District (Planned Development Designation)
West:	General Commercial District (Planned Development Designation)

PUBLIC UTILITIES City/ City

DATE OF APPLICATION 9/30/2011

REVIEWED BY Robert Laroco / Ted Johnson

RECOMMENDATION:

Staff recommends that the Initial and Final Residential Development Plan be approved with the following stipulations:

1. A Building Permit shall be obtained prior to any construction. A Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to issuance of Building Permits, grading permits, or any disturbance of earth on the site, all necessary changes shall be made to the construction plans as identified on the redline drawings. In addition, revised plans shall be submitted that show the required erosion and sediment control plan and a post-construction water quality control plan. All redlined drawings shall be returned and signed and sealed final construction plans shall be submitted for review and approval by the Community Planning and Development Services Department;
3. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
4. Prior to issuance of building permits, an exception shall be obtained to allow access to the property from East Minnesota Street or the site plan shall be revised to show all access being taken off the lower order street;
5. Prior to issuance of a Certificate of Occupancy, the required water and sewer connections between Marlin Drive and Creek Drive shall be installed and accepted by the City;
6. Prior to issuance of a Certificate of Occupancy, all required site improvements, landscaping, parking, and utility services shall be completed;
7. Prior to issuance of Building Permits, the associated Preliminary Plat shall be approved. In addition, prior to issuance of a Certificate of Occupancy, a final plat shall be approved.
8. The proposed signage shall conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this sign package. The addition of electronic signs may be considered as a Major Amendment to the Planned Residential Development. Changes to the approved signage which the Director of Community Planning and Development Services determines to be consistent with the design of the approved plans may be considered as a Minimal Amendment to the Planned Residential Development. In addition, the Director of Community Planning and Development Services 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

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- shining on the adjacent properties and/or street(s). A sign permit shall be obtained for each individual sign;
9. Any changes to the site which the Director of Community Planning and Development Services determines are consistent with the approved Planned Development and in compliance with Chapter 17.50.070 of the Rapid City Municipal Code may be considered as a Minimal Amendment to the Planned Residential Development;
 10. The proposed structures shall conform architecturally to the plans and elevations and color palette reviewed and approved as part of this Planned Residential Development. Revisions to the design of these structures that the Director of Community Planning and Development Services determines to be consistent with the original approved elevations may be considered as a Minimal Amendment to the Planned Residential Development;
 11. An exception is hereby granted to allow landscaping islands surrounded on three sides by pavement in lieu of four sides of pavement to be located within the parking lot;
 12. A minimum of 339,390 landscaping points shall be provided as per the approved plans. Any change in the landscaping plan that the Director of Community Planning and Development Services determines to be consistent with the original approved landscaping plans may be considered as a Minimal Amendment to the Planned Residential Development. All landscaping shall be continually maintained in a live vegetative state and replaced in compliance with the City's adopted landscaping plan;
 13. A minimum of 324 parking spaces shall be provided. In addition, 8 of the provided parking spaces shall be handicap accessible. One of those handicap spaces shall be "van" accessible;
 14. Prior to issuance of Building Permits, a photometric plan shall be submitted to Community Planning and Development Services for review and approval. In addition, all outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and right-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
 15. Prior to issuance of Building Permits, the applicant shall submit revised plans showing all required fire control systems, including a fire hydrant located on the site near East Minnesota Street as indicated in the Rapid City Fire Department's redline comments. In addition, the applicant shall coordinate with the Rapid City Fire Department for the location of connectors and underground fire service lines. All applicable provisions of the currently adopted International Fire Code shall be continually met;
 16. This Planned Residential Development shall allow for the construction of a multi-family housing community comprised of 216 dwelling units in 10 structures, a community clubhouse, an office, and other amenities. Other uses permitted in a Medium Density Residential District shall be allowed as a Minimal Amendment to the Planned Residential Development requiring the approval of the Director of Community Planning and Development Services. Conditional uses allowed within a Medium Density Residential District shall require a Major Amendment to the Planned Residential Development;
 17. All provisions of the Medium Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment; and,
 18. The Planned Residential Development shall expire if the use is not undertaken and completed within five years, or if the use as approved has ceased for a period of two years. Any changes to the date of completion shall be considered as a Major Amendment to the Planned Residential Development.

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GENERAL COMMENTS: The applicant has submitted a request for an Initial and Final Planned Residential Development. In particular, the applicant is requesting an Initial and Final Planned Residential Development for the construction of a multi-family housing development of approximately 216 units located east of the corner of East Minnesota Street and Marlin Drive. The applicant has also submitted an associated Preliminary Plat (File #11PL055) to create a 9.935 acre lot leaving non-transferable unplatted balance(s).

Associated rezone requests for the property were approved by City Council on July 18, 2011 (File #11RZ008, #11RZ009, #11RZ010) to change the zoning of the property from Low Density Residential-2 and General Commercial District to Medium Density Residential District. Due to the location of the property within a Planned Development, the site will be developed through an Initial and Final Planned Residential Development.

The location of the property is immediately east of the intersection of East Minnesota Street and Marlin Drive, in the southeastern section of the city. The land is currently undeveloped.

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

Site Plan: The applicant's site plan shows that water service capacity on the site is limited. The plans show that a water main connection between the current line at Marlin Drive and the existing line at Creek Drive is proposed in order to provide the required water services. As such, prior to issuance of a Certificate of Occupancy, the applicant must install the required water main between Marlin Drive and the installation must be accepted by the City.

The applicant's site plan does not include an erosion and sediment control plan. In addition, plans do not show post-construction water quality control measures. These measures are required for all new planned developments. As such, prior to issuance of building permits, revised plans must be submitted that show the required erosion and sediment control plan, as well as post-construction water quality control plans. In addition, all redline comments identified by staff must be addressed and returned to Community Planning and Development Services, and signed and sealed final construction plans must be submitted and accepted by Community Planning and Development Services.

Building Permits/ Certificate of Occupancy: A Building Permit is required prior to any construction. A Certificate of Occupancy is required prior to occupancy of any of the structures on the site. In addition, prior to issuance of a Certificate of Occupancy, all required landscaping, parking, lighting, and utility improvements must be installed per the approved Planned Residential Development or surety must be posted for their completion. The applicant's plans show that the project is to be completed in one phase and a Certificate of Occupancy will be requested upon the completion of each building. All required landscaping, parking, access, circulation, lighting, drainage, and utility services must be provided for each building prior to issuance of a Certificate of Occupancy. Additionally, an Air Quality Construction Permit must be obtained prior to any surface disturbance of one acre or more.

Architecture/Design: The applicant's site plan identifies the construction of a multi-family housing complex comprised of 10 apartment buildings with a community clubhouse and

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office. Amenities include an outdoor pool and patio, as well as a basketball court, park, and interior bike/walking paths. The development will have 216 units comprised of one, two, and three bedroom units. The applicant's site plan shows the proposed structures to be three story brick and vinyl-sided apartment buildings with external access to each unit. The structures will be approximately 33 feet 4 inches in maximum height, and will have earth-toned colors. Construction of all structures and amenities must match the approved designs of this Initial and Final Planned Residential Development. Any changes to the architecture or design of the proposed structures or to the site which the Director of Community Planning and Development Services determines are consistent with the general style and character of the original approved Planned Development may be allowed as a Minimal Amendment to the Planned Development.

Infrastructure Improvements: East Minnesota Street is classified as a minor arterial on the Major Street Plan. Marlin Drive is classified as a collector. The applicant's site plan shows that access to the site is being taken from East Minnesota Street. The Rapid City Street Design Criteria Manual states that access to properties must be taken from the lower order street. The applicant has submitted a request for an exception to allow access to the site from a higher order street, in this case, East Minnesota Street. As such, prior to issuance of a building permit, the applicant must obtain an exception to allow access to the site from East Minnesota Street, or revised plans must be submitted to remove the access onto East Minnesota Street.

The Rapid City Bike and Pedestrian Plan shows a proposed bike path located on the property. The associated Preliminary Plat (File #11PL055) shows that East Minnesota Street will be constructed as a minor arterial street. The applicant's submitted plans show an 8 foot wide bike path on the south side of the future East Minnesota Street. As such, staff recommends that prior to issuance of building permits, the associated preliminary plat be approved. In addition, prior to issuance of a Certificate of Occupancy, a final plat must be approved.

Signage: The applicant's site plan includes a sign package of one monument-style sign and directional signs located at each entrance. The proposed signage must conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this sign package. The addition of electronic signs may be considered as a Major Amendment to the Planned Residential Development. Changes to the approved signage which the Director of Community Planning and Development Services determines to be consistent with the design of the approved plans may be allowed as a Minimal Amendment to the Planned Residential Development. In addition, the Director of Community Planning and Development Services may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs must be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must be obtained for each individual sign.

Landscaping: A minimum of 337,500 landscaping points are required for this Planned Residential Development. The applicant's plan shows 339,390 landscaping points are being provided for this Planned Residential Development. In addition, based on the provided off-street parking, a total of 10 landscaping islands are required in order to break up expanses of pavement. The applicant's plans show a total of 13 landscaping nodes, surrounded on

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three sides by pavement, located in the parking area. These landscaping nodes serve to break up expanses of pavement in the same manner as landscaping islands. As such, prior to issuance of building permits, an exception must be obtained to allow landscaping islands surrounded on three sides by pavement, in lieu of the required landscaping islands surrounded on four sides by pavement. All landscaping must conform to the landscaping plan approved as a part of the Initial and Final Planned Residential Development. Any change in the landscaping plan that the Director of Community Planning and Development Services determines to be consistent with the original approved landscaping plans may be considered as a Minimum Amendment to the Planned Residential Development. All landscaping shall be continually maintained in a live vegetative state and replaced in compliance with the City's adopted landscaping plan.

Parking: A minimum of 324 parking stalls must be provided for this development. In addition, 8 of the parking spaces must be handicap accessible. One of the handicap spaces must be "van" accessible. The applicant's site plan shows that 496 parking stalls are being provided, including 24 van accessible handicap spaces. It appears the minimum required number of parking spaces is being provided. All parking must comply with Chapter 17.50.270 of the Rapid City Municipal Code.

Lighting: The applicant's site plan does not include a photometric plan identifying all outdoor lot lighting for the property. Rapid City Municipal Code Chapter 17.50.310 states, "Lighting of all types, excluding street lighting and traffic signals, shall be directed so as to reflect away from all residential districts, and shall be so situated so as not to reflect directly onto any public rights-of-way, so as to create a traffic hazard". As such, prior to issuance of building permits, revised plans must be submitted to Community Planning and Development Services for review and approval that include the proposed photometric plan for the development.

Fire Department: The applicant's site plan does not include a fire hydrant located on the southern portion of the site near the access point to East Minnesota Street. Rapid City Fire Department staff has indicated the need for an additional fire hydrant to be located on the site near East Minnesota Street in order to meet the minimum required coverage distance of 400 feet. As such, prior to issuance of a building permit, the applicant must submit revised plans showing the required fire hydrant. In addition, the applicant must coordinate with the Rapid City Fire Department for the location of Fire Department connectors and underground fire service lines. All applicable provisions of the adopted International Fire Code must be continually met.

Date of Completion: Rapid City Municipal Code Chapter 17.50.060.C states that the approval of a final development plan expires two years from the date of approval, unless otherwise specified in the approved final plans. The applicant's submitted plan shows that the estimated time of completion for this project to be approximately five years. The applicant has requested a time extension for the completion date of this project. The Planned Residential Development will expire if the use is not undertaken and completed within five years, or if the use as approved has ceased for a period of two years. Any changes to the date of completion must be considered as a Major Amendment to the Planned Residential Development.

Notification Requirements: The required sign has been posted on the property. The required

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receipts and green cards from the certified mailing have not been returned. Staff will inform the Planning Commission at the October 27, 2011 Planning Commission meeting if these requirements have not been met.

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