

STAFF REPORT
February 9, 2012

No. 12PD001 - Initial Residential Development Plan

ITEM 7

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	Hani Shafai
REQUEST	No. 12PD001 - Initial Residential Development Plan
EXISTING LEGAL DESCRIPTION	Lots 1 through 16 of Block 3 of Denman's Subdivision all located in SW1/4 of the NW1/4 of Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.28 acres
LOCATION	South of East Saint Joseph Street between Elm Avenue and Birch Avenue
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	High Density Residential District
East:	Park Forest District
West:	General Commercial District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	1/13/2012
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

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

1. An exception is hereby granted to allow a reduced minimum front yard setback from 35 feet to 10 feet along East Saint Joseph Street;
2. An exception is hereby granted to allow a reduced minimum front yard setback from 35 feet to 10 feet along Birch Avenue;
3. An exception is hereby granted to allow a reduced minimum rear yard setback from 30 feet to 5 feet;
4. An exception is hereby granted to allow an increase in the maximum allowed lot coverage from 25% to 31%;
5. An exception is hereby granted to allow a decrease in the minimum required open space of 300 square feet per apartment to 130 square feet per apartment;
6. Upon submittal of a Final Residential Development Plan, a revised parking plan shall be submitted in compliance Chapter 17.50.270 of the Rapid City Municipal Code;
7. Upon submittal of a Final Residential Development Plan, a complete site plan shall be

STAFF REPORT
February 9, 2012

No. 12PD001 - Initial Residential Development Plan

ITEM 7

- submitted as required per Rapid City Municipal Code Chapter 17.50.060;
8. Upon submittal of a Final Residential Development Plan, a landscaping plan must be provided for review and approval. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 9. Upon submittal of a Final Residential Development Plan, the applicant shall identify the utility connections to be used and show that the unused utility connections will be closed per City Standards;
 10. Upon submittal of a Final Residential Development Plan, a drainage plan shall be submitted for review and approval. The drainage plan shall be designed in compliance with the Drainage Criteria Manual, including calculations demonstrating that discharge from any improvements will not exceed pre-development flow rates or local detention facilities must be provided. The drainage plan shall address how quantity and quality control of storm water will be achieved and verify that downstream improvements are constructed if necessary.
 11. Upon submittal of a Final Residential Development Plan, a site plan shall be submitted showing the site triangles for both alley access points in compliance with Section 8.2.4 of the Street Design Criteria Manual;
 12. Prior to approval of a Final Planned Residential Development, the applicant shall request an exception to allow the alley to serve as the primary access or the site plan shall be revised to comply with the Street Design Criteria Manual;
 13. Prior to approval of a Final Planned Residential Development, construction plan showing proposed improvements to the alley including location, width and grade shall be submitted for review and approval;
 14. Prior to approval of a Final Planned Residential Development approval, a revised wastewater flows estimate for the proposed apartments demonstrating adequate sewer capacity exists shall be submitted or provide additional sewer capacity as required;
 15. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
 16. Upon submittal of a Final Residential Development Plan, a sign package shall be submitted for review and approval. All signage shall conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this Initial Planned Residential Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s);
 17. 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;
 18. All applicable provisions of the adopted International Fire Code shall continually be met; and,
 19. The Initial Planned Residential Development shall allow for a seven story apartment building with first floor commercial use for the residents of the apartments. A Final Planned Residential Development shall be obtained prior to issuance of a building permit.

GENERAL COMMENTS:

The applicant has submitted an Initial Residential Development Plan. In particular, the applicant is proposing to construct a seven story apartment building with first floor commercial use to serve the on-site residents. The first floor commercial use is a Conditional Use in the High Density Residential District. The apartment is identified as

STAFF REPORT
February 9, 2012

No. 12PD001 - Initial Residential Development Plan

ITEM 7

Phase I of two phases. Parking for Phase II is not provided. As such, an Initial and Final Planned Residential Development will be required to address the future phase as shown on the site plan. The applicant is specifically seeking exceptions to Chapter 17.14 of the Rapid City Municipal Code. In particular, the applicant is requesting a reduction in the required minimum front yard setback of 35 feet to 10 feet along Saint Joseph Street and along Birch Avenue, a reduction in the required rear yard setback from 30 feet to five feet, an increase in the permitted lot coverage from 25% to 31% and a decrease in the minimum required open space of 300 square feet per apartment to 130 square feet per apartment.

The properties were platted in 1883 and annexed into Rapid City in 1888. In 1968 the properties were zoned Highway Service District. In 1977 the properties were rezoned from Highway Service District to General Commercial District.

On January 26, 2012, the Planning Commission approved a rezoning request from General Commercial District to High Density Residential District and a Comprehensive Plan Amendment request changing the future land use designation from Commercial to Residential.

The properties are located south of East Saint Joseph Street between Elm Avenue and Birch Avenue just west of the South Dakota School of Mines and Technology. Currently, the properties are a mix of one and two story residential and commercial buildings.

STAFF REVIEW:

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

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

The properties are located south of East Saint Joseph Street between Elm Avenue and Birch Avenue just west of the South Dakota School of Mines and Technology. Currently, the properties are a mix of one and two story residential and commercial buildings.

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

The properties to the north, east and west are a mix of one and two story commercial structures. The properties to the south are currently undeveloped.

3. *Proposed fencing, screening and landscaping:*

A landscaping plan has not been submitted as a part of this application. At the time of submittal for a Final Residential Development Plan, a landscaping plan must be provided for review and approval. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code must be continually met. All landscaping must be continually maintained in a live vegetative state and replaced as necessary. No fencing or screening is being proposed.

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

The proposed development will require the demolition of the existing structures. A drainage plan was not submitted as a part of the Initial Residential Plan. Upon submittal of a Final Residential Development Plan, a drainage plan must be submitted for review and approval. The drainage plan must be designed in compliance with the Drainage Criteria Manual, including calculations demonstrating that discharge from any improvements will not exceed pre-development flow rates or local detention facilities must be provided. The drainage plan must address how quantity and quality control of storm water will be achieved and verify downstream improvements are constructed if necessary.

A grading plan also must be provided as required with the Final Planned Development including improvements to the alley. A geotechnical report including pavement design for the alley must also be provided.

Upon submittal of a building permit application an Erosion and Sediment Control Plan must be submitted for review and approval.

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

The site plan indicates that primary access will be taken from the alley located south of the proposed development between Elm Avenue and Birch Avenue. The Street Design Criteria Manual defines an alley as a secondary means of access and not the only means of access. Prior to approval of a Final Planned Residential Development, the applicant must request an exception to allow the alley to serve as the primary access or the site plan must be revised to comply with the Street Design Criteria Manual. The alley must be designed to meet the Street Design Criteria Manual requirements and must be paved per Rapid City Code 17.50.270.G.1.b. The applicant must submit the proposed improvements to the alley including location, width, grade and other improvements with the Final Planned Residential Development application. Any existing approaches onto the proposed development that will no longer be used must be removed and replaced with full height curb and gutter. Upon submittal of a Final Residential Development Plan, a site plan must be submitted showing the site triangles for both alley access points in compliance with Section 8.2.4 of the Street Design Criteria Manual.

The site plan shows 72 parking stalls with no stalls identified as handicapped accessible. For the proposed 45 apartments in phase I the required minimum parking is 68 stalls with 3 parking stalls handicapped accessible and one stall handicapped van accessible. Upon submittal of a Final Residential Development Plan, a revised site parking plan must be submitted in compliance with Chapter 17.50.270 of the Rapid City Municipal Code. A minimum of three parking stalls must be handicapped accessible with one stall handicapped van accessible. A revised scaled site plan must be submitted showing sidewalk, driveways and aisles.

No. 12PD001 - Initial Residential Development Plan

ITEM 7

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

The proposed apartment will generate approximately 25 trips per weekday peak hour and approximately 299 trips per weekday. It is not anticipated that the first floor commercial use will generate any additional traffic since it will be used exclusively by the tenants of the apartment.

7. *Proposed signs and lighting:*

The applicant has not proposed any signage or outdoor lighting. Upon submittal of a Final Residential Development Plan, a sign package and lighting plan must be submitted for review and approval. All signage must conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this Initial Planned Residential Development to allow a seven story apartment building. All signage not in conformance with Chapter 15.28 of the Rapid City Municipal Code or any electronic reader board signs will require the review and approval of a Major Amendment to the Initial Residential Development Plan. Lighting for the signs must be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign. All outdoor lighting must 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.

8. *The availability of public utilities and service:*

The property is currently served by public utilities including Rapid City sewer and water. The existing structures located on the properties are to be demolished. The Initial Residential Development Plan is for Phase I, a proposed seven story apartment building with first floor commercial uses to serve the residents. Upon submittal of a Final Residential Development Plan, the applicant must identify the utility connections to be used and show that the unused utility connections will be closed per City Standards.

Phase II is not included in this Initial Residential Development Plan. An Initial and Final Planned Residential Development will be required to address the future phase as shown on the site plan. Prior to approval of a Final Residential Development Plan for Phase I, a revised wastewater flows estimate for the proposed apartments demonstrating adequate sewer capacity exists must be submitted for review and approval or additional sewer capacity must be provided as required.

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

On January 26, 2012, the Planning Commission approved a rezone from General Commercial District to High Density Residential District and a Comprehensive Plan Amendment changing the future land use designation from Commercial to Residential. This residential district is intended to promote and encourage the establishment and maintenance of a suitable environment for urban residence in areas appropriate by location and character for occupancy by high-density, multiple-family dwellings. One of the important purposes of this district is to create adequate standards of residential

No. 12PD001 - Initial Residential Development Plan

ITEM 7

development in order to prevent overcrowded and unhealthy housing conditions. The intensity of land use should not be so great as to cause congestion of building or traffic or to preclude the amenities of good housing. The proposed apartments will meet a housing need for the School of Mines and Technology and the community. The proposed commercial use is a Conditional Use in the High Density Residential District and can be authorized through the approval of the Final Residential Development Plan.

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

The applicant is requesting exceptions to the area regulations as per Chapter 17.14.040 of the Rapid City Municipal Code. In particular, the applicant is requesting a reduction in the required minimum front yard setback of 35 feet to 10 feet along Saint Joseph Street, a reduction in the required minimum front yard setback of 35 feet to 10 feet along Birch Avenue, a reduction in the required rear yard setback from 30 feet to five feet, an increase in the permitted lot coverage from 25% to 31% and a decrease in the minimum required open space of 300 square per apartment to 130 square feet per apartment.

Chapter 17.14.040 of the Rapid City Municipal Code requires minimum front, side and rear yard setbacks. The existing right-of-way accommodates the street design and provides adequate pedestrian access that is in compliance with the design standards as per the Street Design Criteria Manual. In addition, since the property is bordered on all sides by right-of-way, the proposed reductions in setbacks does not appear to have a negative impact on adjacent properties. As such, staff recommends that an exception be granted to allow a reduction in the required minimum front yard setback of 35 feet to 10 feet along Saint Joseph Street, a reduction in the required minimum front yard setback of 35 feet to 10 feet along Birch Avenue and a reduction in the required rear yard setback from 30 feet to five feet.

Chapter 17.12.040 of the Rapid City Municipal Code allows buildings greater than five stories in height to have a maximum 25% lot coverage and requires that a minimum of 300 square feet of open space be provided per dwelling unit. The applicant is requesting an increase in allowable lot coverage from 25% to 31% and a decrease in usable open space from 300 square feet to 130 square feet per dwelling unit. The site plan provided indicates that adequate off-street parking can be accommodated. Upon submittal of a Final Residential Development Plan, a drainage plan designed in compliance with the Drainage Criteria Manual must be submitted for review and approval. The drainage plan must address how quantity and quality control of storm water will be achieved and verify downstream improvements are constructed if necessary. Staff recommends that an exception be granted to allow an increase in the permitted lot coverage from 25% to 31%. In addition, the applicant has indicated that a mix of outdoor open space and interior common areas will be provided to prospective tenants. As such, staff recommends that an exception be granted to allow a decrease in the minimum required open space of 300 square feet per apartment to 130 square feet per apartment.

STAFF REPORT
February 9, 2012

No. 12PD001 - Initial Residential Development Plan

ITEM 7

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

The proposed development is over one acre in size. An Air Quality Construction Permit must be obtained prior to any surface disturbance of one acre or more. The applicant has not submitted a drainage plan at this time. Upon submittal of a Final Residential Development Plan, a stormwater drainage plan must be submitted for review and approval.

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

The stipulations of approval of the Initial Residential Development Plan will serve as a tool to insure that additional material for review must be submitted prior to submittal of a Final Residential Development Plan. In addition, the stipulations ensure that the proposed development is in compliance with the Zoning Ordinance and that the requested exceptions will not have a negative impact on the neighborhood.

Notification Requirement: As of this writing, the white slips and green cards from the certified mailing have not been returned and the required sign has not been posted on the property. Staff will notify the Planning Commission at the February 9, 2012 Planning Commission meeting if these requirements have not been met.