

STAFF REPORT
July 26, 2012

No. 12PD023 - Final Planned Development Overlay

ITEM 11

GENERAL INFORMATION:

APPLICANT	Ed Lund - Koch Hazard Architects
PROPERTY OWNER	The Evangelical Lutheran Good Samaritan Society
REQUEST	No. 12PD023 - Final Planned Development Overlay
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 all located in Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 200 acres
LOCATION	West of S.D. Highway 79 (Sturgis Road) and south of St. Martins Drive
EXISTING ZONING	Medium Density Residential District (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (Planned Development)
East:	General Agriculture District - Low Density Residential District
West:	Medium Density Residential District - Low Density Residential District - General Agriculture District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	June 26, 2012
REVIEWED BY	Fletcher Lacock / Brandon Quiet

RECOMMENDATION:

Staff recommends that the Final Planned Development Overlay be approved with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to issuance of a building permit, a revised parking plan shall be submitted for review and approval showing that the 51 underground parking spaces are in compliance with the Building Code and Fire Code. A minimum of 67 parking spaces shall be provided. In

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- addition, three of the parking spaces shall be handicap accessible. One of the handicap spaces shall be "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met;
3. Prior to issuance of a building permit, a Floodplain Development Permit shall be obtained for any work located within the floodplain;
 4. Prior to issuance of a building permit, the applicant shall submit plans showing property line sidewalk along St. Martins Drive and City Springs Road or obtain a variance from Chapter 12.08.060 of the Rapid City Municipal Code;
 5. Prior to issuance of a building permit, the applicant shall demonstrate adequate pipe sizing for the local stormwater collection system;
 6. Prior to issuance of a building permit, the applicant shall submit water and sewer design reports in accordance with the Infrastructure Design Criteria Manual for review and approval;
 7. Prior to issuance of a building permit, the applicant shall address redline comments and return the plans to the Community Planning and Development Services Department;
 8. Upon submittal of a building permit, the plans shall be revised to show one manhole in an easement or obtain an Exception from Chapter 3.5.2.3 of the Infrastructure Design Criteria Manual;
 9. Upon submittal of a building permit, the applicant shall delineate the service area for the sanitary sewer stubbed to St. Martins Drive and demonstrate that maximizing sewer depth will not significantly increase the future service area;
 10. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
 11. Prior to issuance of a Certificate of Occupancy for Phase II, temporary or permanent site stabilization shall be achieved;
 12. Prior to obtaining a Certificate of Occupancy for Phase II, all public infrastructure shall be accepted by the City;
 13. Prior to issuance of a Certificate of Occupancy for Phase II, the applicant shall enter into a Right-of-Entry Agreement to allow the City access to the water service valves located on private property;
 14. Prior to City acceptance of infrastructure, a 30 foot public sewer and water easement shall be dedicated;
 15. Prior to City acceptance of the regional stormwater infrastructure located on the property, the revised floodplain boundary shall be accepted by Federal Emergency Management Agency;
 16. Prior to issuance of a sign permit, a revised sign package shall be submitted identifying the location of the proposed signage in relation to the property lines. All signage shall continually conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this Final Planned Development Overlay. Changes to the proposed sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Final Planned Development Overlay. All signage not in conformance with Chapter 15.28 of the Rapid City Municipal Code or any electronic reader board signs shall require the review and approval of a Major Amendment to the Final Planned Development Overlay. 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;
 17. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of

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- one acre or more;
18. A minimum of 399,802 landscaping points shall be provided. 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;
 19. All applicable provisions of the adopted International Fire Code shall continually be met;
 20. All provisions of the Medium Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment;
 21. 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; and,
 22. The Final Planned Development Overlay shall allow the construction of 42 apartments, 32 assisted living units and a free-standing garage and bicycle storage facility. Any change in use that is a permitted use in the Medium Density Residential District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Planned Development Overlay.

GENERAL COMMENTS:

The applicant has submitted a Final Planned Development Overlay to construct Phase II of the Good Samaritan Society - St. Martin's Village campus. In particular, Phase II includes the construction of 42 apartments with services and 32 assisted living units. The proposed structure is a combination one and three story building. The central core area will consist of amenities and administrative offices. In addition, the applicant is proposing to construct a one story free-standing garage and bicycle storage facility. The total proposed building area is 70,700 square feet.

On September 12, 2007, staff approved a Planned Development Designation (File #07PD076) for the above legally described property.

On October 25, 2007, an Initial Planned Residential Development (File #07PD075) was approved with stipulations to allow an assisted living center, a skilled care facility, a townhome development and an apartment complex to be constructed on the above legally described property.

On November 5, 2007, the City Council approved a Rezoning request from General Agriculture District to Medium Density Residential District (File #07RZ064) for the above legally described property.

On November 5, 2007, the City Council approved an Amendment to the Comprehensive Plan (File #07CA042) to revise the Major Street Plan by eliminating collector streets.

On October 7, 2010, a Final Planned Residential Development (File #09PD053) was approved for Phase I of Good Samaritan's - St. Martin's Village. In particular, Phase I included 100 townhome units.

The property is located south of St. Martins Drive and east of City Springs Road. Phase I of

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Good Samaritan's is currently under construction on the property to the south of the proposed Phase II. The location of Phase II on the property is currently undeveloped.

STAFF REVIEW:

Staff has reviewed the Final Planned Development Overlay with respect to Chapter 17.50.050(F)5 and has noted the following considerations:

1. *There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:*

The subject property is approximately 200 acres in size. The property is irregularly shaped and extends from St. Martins Drive to the north to Jake Road to the south. City Springs Road borders the property to the northwest and runs north to south through the southern portion of the property.

2. *The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:*

Chapter 17.04.120 of the Rapid City Municipal Code states that in a residential district a single dwelling or multi-family structure is allowed on any one property. Previously, an Initial Planned Development was approved to allow an assisted living center, a skilled care facility, a townhome development and an apartment complex to be constructed on the above legally described property. A Final Planned Development was approved for Phase I of the Good Samaritan Society - St. Martin's Village campus to allow the construction of 100 townhome units on the above legally described property. This application is for Phase II to allow 42 apartments, 32 assisted living units and a free-standing garage and bicycle storage facility.

3. *Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations:*

The proposed development is in compliance with all requirements of the Zoning Ordinance other than allowing more than one primary structure on a single residential property. The property is approximately 200 acres in size. The intent of the Planned Development Overlay is to permit greater flexibility and promote development that is more economically efficient while being compatible with adjacent land uses than would otherwise normally be allowed by the underlying zoning district.

4. *A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:*

The literal interpretation of the Zoning Ordinance would not deprive the applicant of rights that others in the same district are allowed.

5. *Any adverse impacts will be reasonably mitigated:*

A portion of the proposed development is located in the floodplain. Prior to issuance of a building permit, a Floodplain Development Permit must be obtained for any work located

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within the floodplain. The applicant has begun the process to revise the floodplain boundary. Prior to City acceptance of the regional stormwater infrastructure located on the property, the revised floodplain boundary must be accepted by Federal Emergency Management Agency. In addition, 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 proposed facility is located on an approximately 200 acre property. St. Martins Drive and City Springs Road provide a buffer from adjacent properties to the north and west. In addition, the location of the proposed facility on the subject property and the proposed landscaping provide an additional buffer that will serve to mitigate any negative impacts.

A lighting package for the proposed development was submitted showing the location of outdoor lighting around the proposed parking areas. 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.

6. *The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified:*

The existing and proposed development is located on approximately 200 acres of land. The applicant is requesting to allow more than one primary structure on a single residential property. The size of the property provides the separation and open space that is the objective of the Zoning Ordinance.

Use: The applicant has submitted a Final Planned Development Overlay to allow 42 apartments, 32 assisted living units and a free-standing vehicle and bicycle garage. Located in the proposed building will be administrative offices and amenities. Approval of the Final Planned Development Overlay will allow the construction of 42 apartments with services, 32 assisted living units and a free-standing garage and bicycle storage facility. Any change in use that is a permitted use in the Medium Density Residential District will require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Medium Density Residential District will require the review and approval of a Major Amendment to the Planned Development Overlay. All provisions of the Medium Density Residential District must be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment.

Engineering: There were a number of issues identified by staff that must be addressed prior to issuance of a building permit or prior to issuance of a Certificate of Occupancy. They are as follows:

- Prior to issuance of a building permit, the applicant must address redline comments and return the plans to the Community Planning and Development Services Department.
- The plans do not show property line sidewalk along St. Martins Drive or the north portion of City Springs Road. As such, prior to issuance of a building permit, the applicant must

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submit plans showing property line sidewalk or obtain a variance from Chapter 12.08.060 of the Rapid City Municipal Code.

- Prior to issuance of a building permit, the applicant must submit water and sewer design reports in accordance with the Infrastructure Design Criteria Manual for review and approval.
- Upon submittal of a building permit, the applicant must demonstrate adequate pipe sizing for the local stormwater collection system and the plans must be revised to show one manhole in an easement or obtain an exception from Chapter 3.5.2.3 of the Infrastructure Design Criteria Manual.
- Upon submittal of a building permit, the applicant must delineate the service area for the sanitary sewer stubbed to St. Martins Drive and demonstrate that maximizing sewer depth will not significantly increase the future service area.
- Prior to issuance of a Certificate of Occupancy for Phase II, the applicant must enter into a Right-of-Entry Agreement to allow the City access to the water service valves located on private property all public infrastructure must be accepted by the City.
- Prior to City acceptance of infrastructure, a 30 foot public sewer and water easement must be dedicated.

Parking: A minimum of 67 parking spaces must be provided for the proposed development.

The applicant has submitted a parking plan showing a total of 154 parking stalls with 12 of the spaces being handicap parking stalls. Two of the handicap spaces are "van accessible". The parking plan shows a total of 103 surface parking spaces and 51 underground parking spaces. The surface parking provided is in compliance with Chapter 17.50.270 of the Rapid City Municipal Code. No plans were submitted showing the dimensions of the proposed underground parking spaces. As such, prior to issuance of a building permit, a revised parking plan must be submitted for review and approval showing that the 51 underground parking spaces are in compliance with the Building Code and Fire Code. All provisions of the Off-Street Parking Ordinance must be continually met.

Landscaping: A minimum of 399,802 landscaping points must be provided for the proposed development. The applicant has submitted a landscaping plan that shows a total of 441,035 landscaping points to be provided. The proposed landscaping is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code. All landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Building Permit: A building permit must be obtained prior to any construction and a Certificate of Occupancy must be obtained prior to occupancy. Upon submittal of a building permit, plans must be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A. Temporary or permanent site stabilization must be achieved prior to issuance of a Certificate of Occupancy.

Signage: The applicant originally submitted a sign package that included an electronic sign but failed to show the location of the proposed signage in relation to the property lines. After visiting with staff the applicant removed the proposed electronic sign. A revised sign package was submitted that removes the electronic sign from the proposed development. To date, a revised sign package showing the location of the proposed signage in relation to the property lines has not been submitted. As such, prior to

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issuance of a sign permit a revised sign package must be submitted identifying the location of the proposed signage in relation to the property lines. All signage must continually conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this Final Planned Development Overlay. Changes to the proposed sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, will be allowed as a Minimal Amendment to the Planned Development. 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 Planned Development. 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.

Fire Department: All applicable provisions of the adopted International Fire Code must continually be met.

Notification: The white slips and green cards have not been returned. As of this writing, staff is not aware if the sign has been posted. Staff will conduct a site visit before the July 26, 2012 Planning Commission meeting and will notify the Planning Commission at the meeting if this requirement has not been met.