

STAFF REPORT
November 22, 2006

No. 06OA006 - An Ordinance Amendment to establish the Fifth Street Overlay Zoning District by adding Chapter 17.62 to Title 17 of the Rapid City Municipal Code

ITEM 53

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 06OA006 - An Ordinance Amendment to establish the Fifth Street Overlay Zoning District by adding Chapter 17.62 to Title 17 of the Rapid City Municipal Code
DATE OF APPLICATION	10/27/2006
REVIEWED BY	Rodney Proffitt / Todd Peckosh

RECOMMENDATION:

Staff recommends that the An Ordinance Amendment to establish the Fifth Street Overlay Zoning District by adding Chapter 17.61 to Title 17 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS: On October 16, 2006, the Legal & Finance Committee voted to recommend proceeding with advertising for an overlay zoning district to address some of the potential conflicts between the existing single-family residences and new multi-family and commercial development in the 5th Street neighborhood area. At its November 6, 2006 meeting, the City Council accepted that recommendation and voted to direct staff to draft the 5th Street Overlay Zoning District to reflect standards identified in the Canyon Lake Overlay Zoning District.

An overlay district allows existing neighborhoods to continue as development expands. Provisions address potential conflicts such as; traffic, open space, off-street parking, and other issues associated with the expansion of development in a specific area.

In this instance, the boundaries for the proposed district were described as being between Fairmont Boulevard and Kansas City Street and between Sixth and Third Streets. The proposed district boundaries include Tracts A and B of the Perpetual Help Subdivision. Staff is recommending the entire subdivision be included within the 5th Street Overlay Zoning District, which would add Tract C of the Perpetual Help subdivision to the District.

STAFF REVIEW: Staff reviewed the issues and concerns addressed in the Lake Canyon Overlay Zoning District, and reviewed the 5th Street Overlay Zoning District in an effort to address those same issues as follows:

Streets.

The draft ordinance requires street access to a property considered for multi-family dwelling units of three or more units must meet the City's Street Design Criteria Manual. This provision may mandate a street be widened adjacent to a multi-family development project to better accommodate increased traffic demands caused by that project. This may result in a developer having to acquire additional right-of-way or preclude a multi-family development project.

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Staff review of the streets in the proposed district indicate minimum width street design criteria have been met for side streets (30'), except a dead-end portion of South Street (24'), the south end of 6th Street (28'), and Fairview Street (28'). In calls received from the public in response to the post card notices, several comments have voiced concern that the traffic loads on several of the "T-Bone" alleys create a hazard already and that the intersection of 5th and St. Cloud has experienced high accident rates because of heavy traffic at that intersection.

Planned Development Designation.

The draft ordinance requires a Planned Residential Development plan be approved prior to the construction of multi-family dwelling units. The Planned Residential Development requirement would provide notification to property owners within 250 feet and provide for review of multi-family residential development by the Planning Commission.

Setback regulations.

The draft ordinance (Section 17.61.30) requires an additional three-foot side yard setback for development of a multi-family residential project of two stories or more in the Medium Density Residential District. Currently, the setback requirement is twelve feet so the adoption of the overlay district requirements will mean a setback of fifteen feet for multi-family projects of two stories or more. In all other districts, the side yard requirement will not change. By increasing the setbacks, adjacent properties, streets, and pedestrian walkways will ensure light and air remains available to adjacent properties and public places. The setbacks will ensure the intent to keep the character of the neighborhood maintained.

Density.

The minimum lot size for multi-family residential projects of three or more dwelling units in a Medium Density Residential District will increase by 500 square feet from 1500 square feet per dwelling unit to 2000 square feet (Section 17.61.070). This will reduce the density of a project, which in turn mitigates the potential negative impacts on the neighborhood. This provision would serve the same purpose as the setbacks and works in conjunction with those requirements to ensure light and air remains available to adjacent properties, streets and pedestrian walkways at levels the neighborhood has been accustomed to and enjoys today.

Lighting.

The draft ordinance is intended to restrict lighting within a given project (Section 17.61.070). This will reduce potential negative impacts on adjoining properties and maintain the residential character of the neighborhood. There will be no lit signage or internally lit signs. Signs lit at night create a commercial atmosphere, which may detract from residential uses and may potentially pose a nuisance.

Landscaping.

An additional landscape requirement has been included in the proposed overlay district (Section 17.61.40). For multi-family structures of three or more units, a streetscape buffer of ten feet in the front yard is required. The additional landscaping will aesthetically enhance the project and mitigate potential adverse effects of multi-family residential structures adjacent to single-family residential structures.

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Screening.

For multi-family dwellings of three or more units, a six-foot screening fence is required along the side and rear yards by the proposed ordinance. In addition, heating and cooling systems are to be screened. These additional screening requirements are limited to projects adjacent to single-family residences and will help to mitigate adverse effects of multi-family structures (Section 17.61.050).

Snow and Garbage areas.

Multi-family structures of three or more units are required to have a designated snow removal area and a designated garbage collection area by the proposed ordinance. The designated garbage collection area must be screened. This requirement will keep those activities from being located in parking lots, avoiding a potential hazard (Sections 17.61.100 and 17.61.110).

Parking.

Currently, multi-family dwelling units are required to have 1.5 off-street parking spaces per dwelling unit. The draft ordinance will require two parking spaces per dwelling unit. Additional guest parking is also required by the draft ordinance at a rate of one space per four dwelling units. The new requirements seek to reduce on-street parking demand resulting from new development (Section 17.61.080).

The draft 5th Street Overlay Zoning District is intended to address issues arising from new development without imposing additional requirements on the established single-family residences. This process was initiated by the City Council, and the draft ordinance was prepared at its direction. There may be differences in perceived needs and requirements for an overlay district from the neighborhood this law seeks to serve. Besides a provision regarding Planned Residential Development (Section 17.61.120) as provided in the Canyon Lake Overlay Zoning District, staff is recommending the addition of a provision covering Planned Commercial Development as well (Section 17.61.130).

Staff is recommending two non-substantive changes to the draft ordinance posted online and now under consideration. First, in the second Whereas clause, there is reference to an Exhibit A. The draft incorporated a legal description so the need for Exhibit A no longer exists. Please delete the words "Exhibit A to" from this provision. Second, in Section 17.61.30(B)(3), the word "units" needs to follow "Single or duplex family dwellings" at the beginning of that provision.

Notices of this proposed ordinance were mailed to property owners within the proposed district and within 250 feet adjacent to the district on November 14, 2006. Staff has posted the proposed ordinance online at the City's website on November 14, 2006 as well.