Rapid City Planning Commission
Final Planned Development Overlay Project Report
February 21, 2019

	Item #14
Applicant Request(s)	
Case #19PD004 – Final Planned Development Overlay to allow an apartment building	
Companion Case(s) N/A	

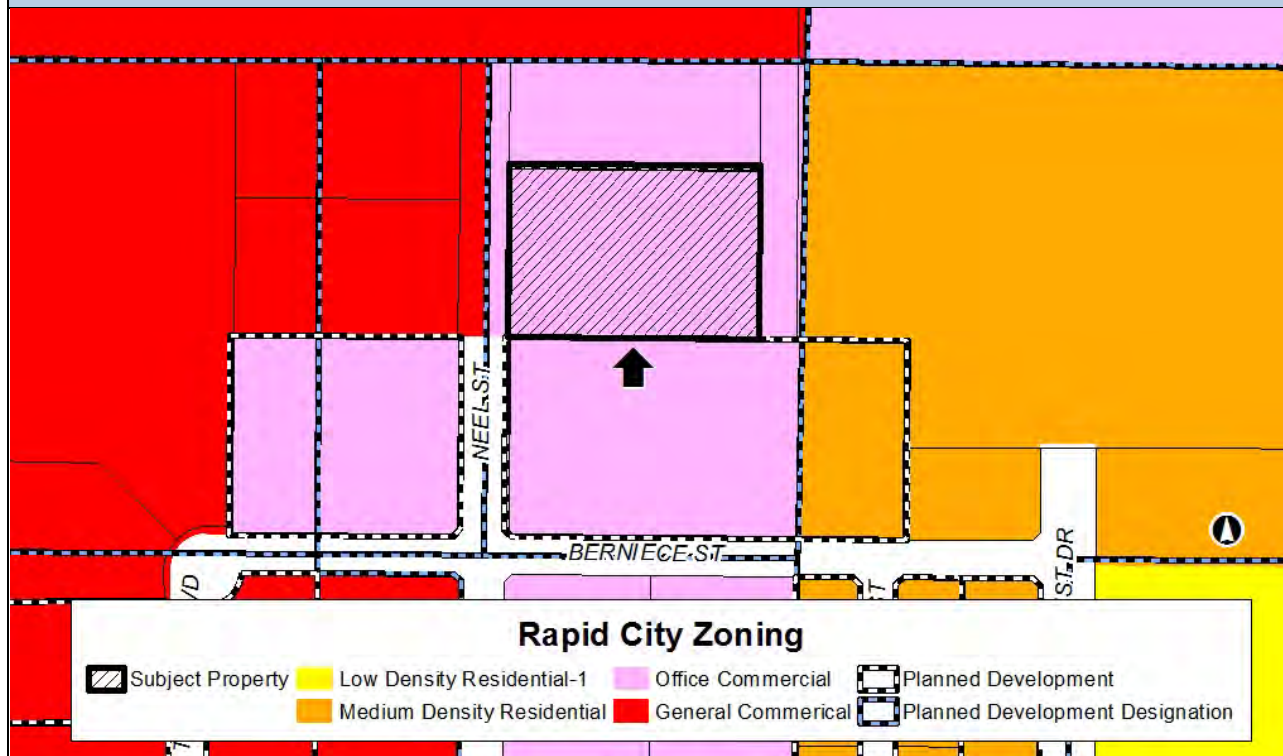| **Development Review Team Recommendation(s)** |
|---|
| Staff recommends approval with stipulations as noted below. |

Project Summary Brief
The applicant has submitted a Final Planned Development Overlay to allow an apartment building. In particular, the applicant is proposing to construct a 40 unit apartment building. The property is located northeast of the terminus of Neel Street. Currently, the property is void of any structural development. On June 21, 2018, the Planning Commission approved an Initial Planned Development Overlay which included an Exception to allow a height of 37 feet 7 inches in lieu of a maximum allowed height of 35 feet. The applicant is now requesting an Exception to allow a height of 42 feet in lieu of the previously granted 37 feet 7 inches.

Applicant Information	**Development Review Team Contacts**
Applicant: Dakota Heartland, Inc.	Planner: Fletcher Lacock
Property Owner: Dakota Heartland, Inc.	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	424 Neel Street
Neighborhood	Elk Vale Road Neighborhood Area
Subdivision	Big Sky Business Park
Land Area	1.87 acres
Existing Buildings	Void of structural development
Topography	Relatively level
Access	Neel Street
Water / Sewer	Rapid City
Electric/Gas Provider	West River Electric Association
Floodplain	N/A

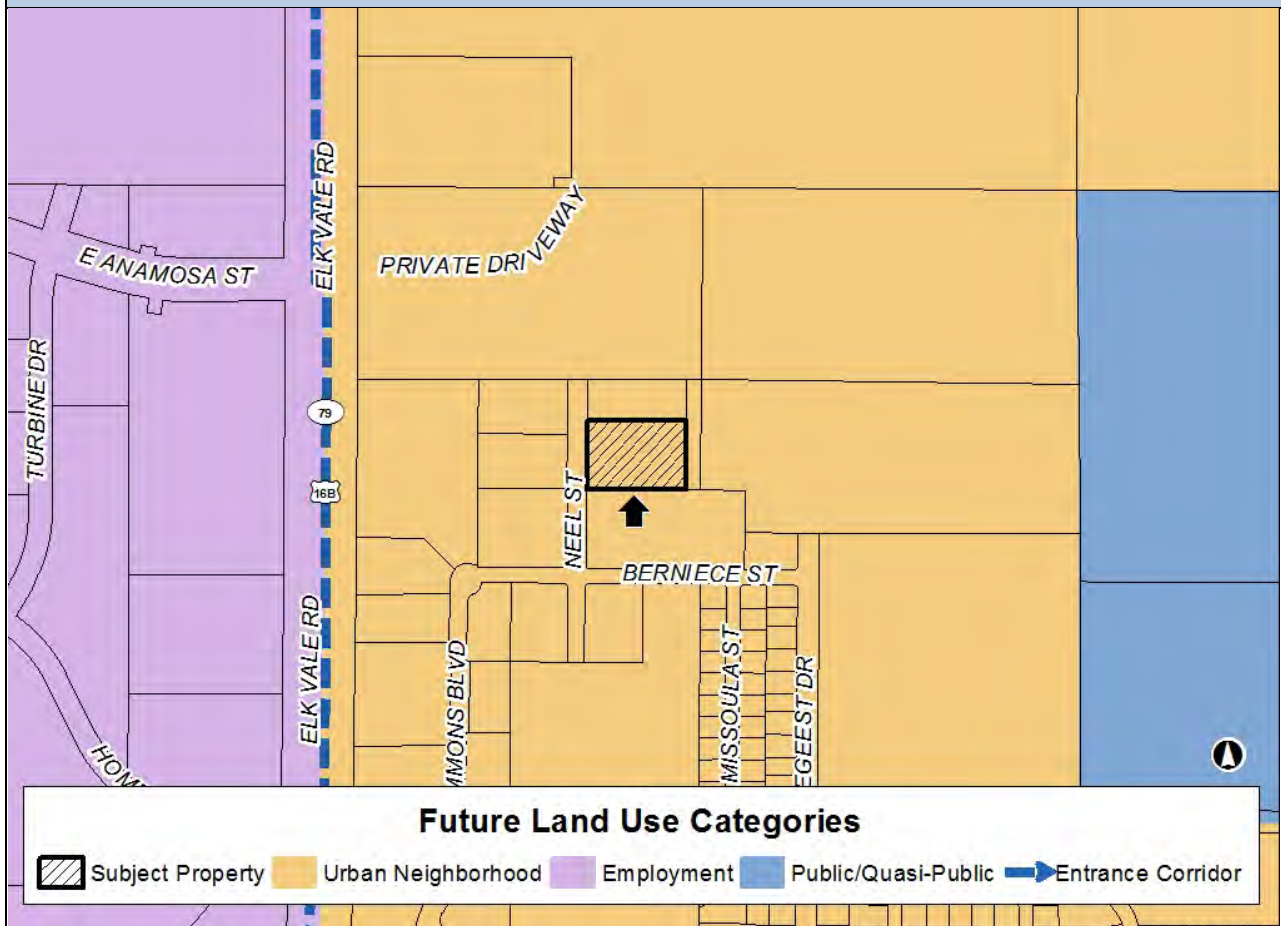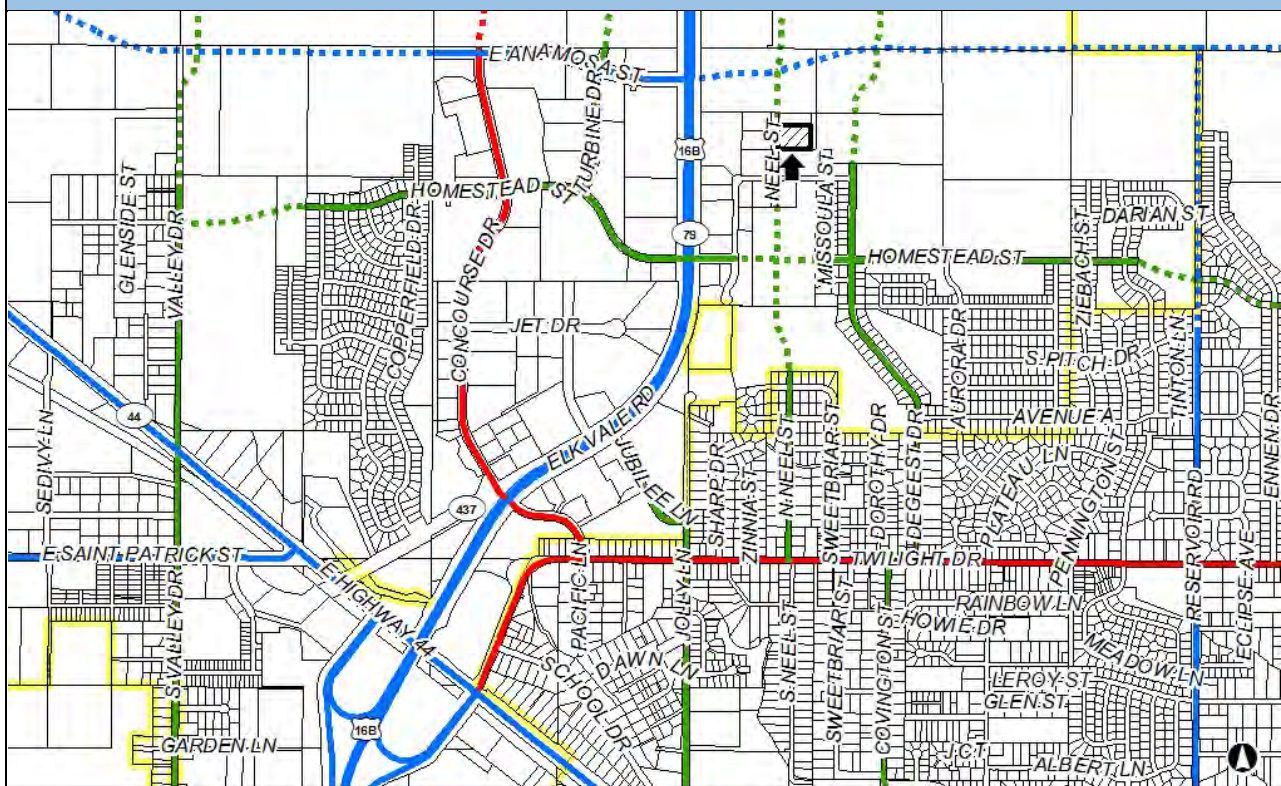| Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	OC - PD	UN	Void of structural development
Adjacent North	GC - PD	UN	Void of structural development
Adjacent South	OC - PD	UN	Apartment complex
Adjacent East	MDR - PDD	UN	Void of structural development
Adjacent West	GC - PDD	UN	Void of structural development

Zoning Map

Rapid City Zoning

- ▨ Subject Property
- ▨ Low Density Residential-1
- ▨ Office Commercial
- ▨ Planned Development
- ▨ Medium Density Residential
- ▨ General Commerical
- ▨ Planned Development Designation

Existing Land Uses

Comprehensive Plan Future Land Use

Future Land Use Categories

▨ Subject Property   ▨ Urban Neighborhood   ▨ Employment   ▨ Public/Quasi-Public   ➡ Entrance Corridor

Parks or Transportation Plan

Major Street Plan

▨ Subject Property   ▬ Collector   ▬ Principal arterial   ••• Proposed minor arterial

▢ Rapid City Limits   ▬ Minor arterial   ••• Proposed collector   ••• Proposed principal arterial

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Relevant Case History

Case/File#	Date	Request	Action
18PD020	06/21/2018	Initial Planned Development Overlay to allow an apartment building	Approved with stipulations
17PL130	04/03/2018	Development Engineering Plans	Staff approved
17PL098	10/16/2017	Preliminary Subdivision Plan	City Council approved with stipulations

Relevant Zoning District Regulations

Office Commercial District	Required	Proposed
Lot Area	65,000 square feet	81,307 square feet
Lot Width	50 feet	236 feet
Maximum Building Heights	3 stories or 35 feet	Requesting an Exception to allow a height of 3 stories and 42 feet
Maximum Density	30%	30%
Minimum Building Setback:		
• Front	25 feet	29 feet
• Rear	25 feet	29 feet
• Side	12 feet	28 feet / 107 feet
• Street Side	25 feet	N/A
Minimum Landscape Requirements:		
• # of landscape points	65,045	65,220
• # of landscape islands	1	1
Minimum Parking Requirements:		
• # of parking spaces	60	64
• # of ADA spaces	3	3
Signage	As per RCMC 17.50.100	None shown
Fencing	As per RCMC 17.50.340	None proposed

Planning Commission Criteria and Findings for Approval or Denial

Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a Planned Development Overlay:

Criteria	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	The property is comprised of approximately 1.87 acres of land zoned Office Commercial District with an approved Initial Planned Development Overlay to allow an apartment building. Currently, the property is void of any structural development.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The property is zoned Office Commercial District. A multi-family dwelling is identified as a permitted use in the district. The applicant is requesting an Exception to allow a height of 42 feet in lieu of the maximum allowed height of 35 feet.
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:	As noted above, the applicant is requesting an Exception to allow a height of 42 feet in lieu of the maximum allowed height of 35 feet. The proposed apartment building does not exceed the maximum allowed three stories in height. The Initial Planned Development Overlay approved an Exception to allow a height of 37 feet 7 inches. The applicant has indicated that the Exception to allow an additional 4 feet 5 inches is due to a change in the architectural design. In addition, the apartments located to the south are also 42 feet in height. The applicant is proposing to exceed the minimum required setbacks providing a buffer to the adjacent development. The property is located approximately 800 feet east of Elk Vale

	Road which is identified as a Principal Arterial Street and an Entrance Corridor. Staff recommends that the Exception be granted for the above reasons.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	As noted above, the property is zoned Office Commercial District and multi-family dwellings are identified as a permitted use in the district. A Final Planned Development Overlay be approved prior to development of the property.
5. Any adverse impacts will be reasonably mitigated:	The applicant is proposing to increase the minimum required side yard setbacks from 12 feet to 28 feet and 107 feet from the north and south property lines, respectively. The proposed setbacks are intended to mitigate the potential impact of the additional 7 feet of height. The applicant should be aware that the proposed development is located in the Low Level Water Zone and pressure pumps for fire protection may be needed for the proposed three-story apartment building.
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:	As noted above, the Planning Commission have granted similar Exceptions to allow additional height within the area provided that the applicant provide an additional setback to mitigate the potential negative impacts. In addition, the property is located approximately 800 feet east of Elk Vale Road which is identified as a Principal Arterial Street and an Entrance Corridor.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:

Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
BPG-3.2A	**Mix of Housing Types**: The proposed apartment will provide additional housing options in the Elk Vale Road Neighborhood Area.
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
T1-2.1A	**Major Street Plan Integration:** Neel Street is identified as a Collector Street on the City's Major Street Plan.
	Economic Stability and Growth
EC-1.2A	**Housing Stock:** The proposed apartment building provides additional housing options in the Elk Vale Road Neighborhood Area.
	Outstanding Recreational and Cultural Opportunities
	N/A

	Responsive, Accessible, and Effective Governance

GOV-2.1A	**Public Input Opportunities:** The proposed Final Planned Development Overlay requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Final Planned Development is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	**Urban Neighborhood**
Design Standards:	
N/A	Apartments are identified as a primary use in the Urban Neighborhood designation.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	**Elk Vale Road Neighborhood Area**
Neighborhood Goal/Policy:	
EV-NA1.1A	**Residential Growth:** The proposed Final Planned Development Overlay supports the goal of promoting new residential growth in the Elk Vale Road Neighborhood Area.

Findings
Staff has reviewed the Final Planned Development Overlay to allow an apartment building pursuant to Chapter 17.50.050(F)5 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The applicant has submitted a Final Planned Development Overlay to allow a three-story apartment building with a total of 40 dwelling units. The applicant is requesting an Exception to allow a three story structure with a height of 42 feet in lieu of the maximum allowed height of three stories and 35 feet. An increase in side yard and rear yard setbacks are intended to mitigate the proposed height. Similar height Exceptions have been granted in the past provided that setbacks are increased. The proposed development supports residential growth in the Elk Vale Road Neighborhood Area. As noted above, the property is located approximately 800 feet east of Elk Vale Road which is identified as a Principal Arterial Street on the City's Major Street Plan and an Entrance Corridor in the City's adopted Comprehensive Plan.

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Final Planned Development Overlay to allow an apartment building be approved with the following stipulations:	
1.	An Exception is hereby granted to allow a three story structure with a height of 42 feet in lieu of the maximum allowed height of three stories and 35 feet;
2.	All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Final Planned Development Overlay. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,
3.	This Final Planned Development Overlay shall allow a 40-unit apartment building. Permitted uses within the Office Commercial District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Planned Development.

Rapid City Department of Community Development

Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*	
	Applicant Request(s)
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Companion Case(s) #	N/A
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
3.	All requirements of the currently adopted Building Code shall be met;
4.	ADA accessibility shall be provided throughout the structure and site as necessary;
5.	All provisions of the underlying zoning districts shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development or a subsequent Final Planned Development Overlay;
6.	All outdoor lighting shall continually 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,
7.	All applicable provisions of the adopted International Fire Code shall continually be met.