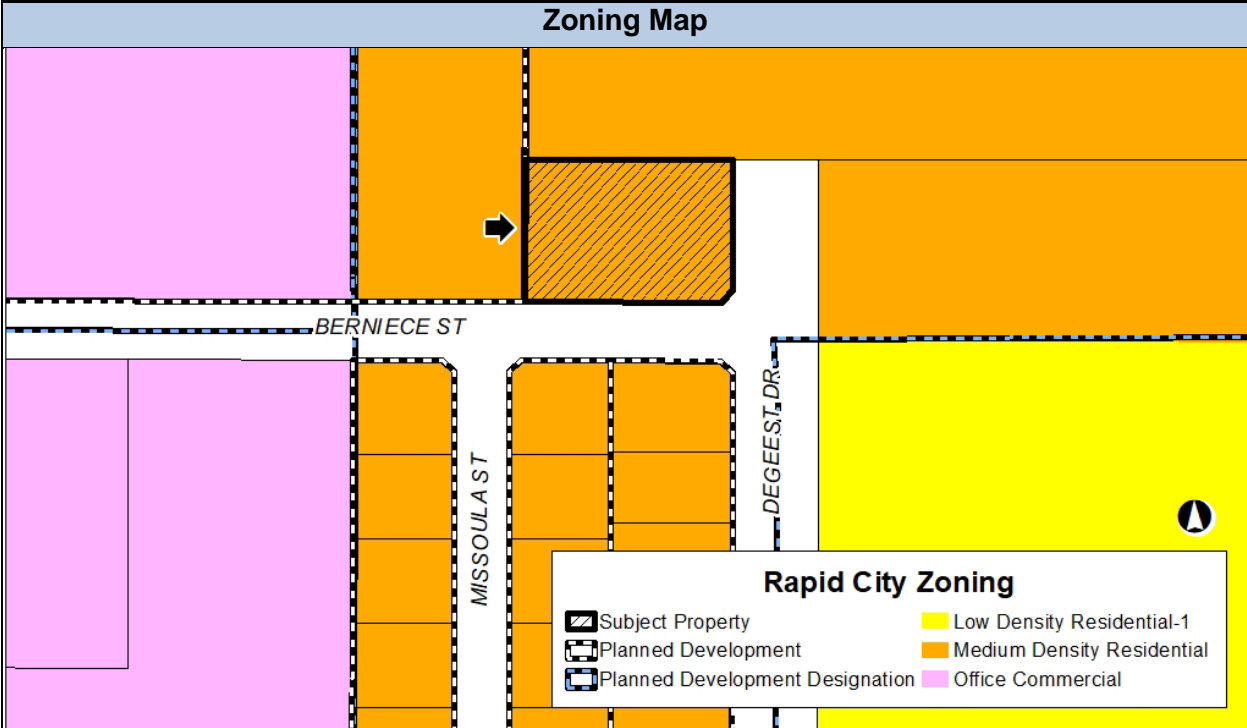


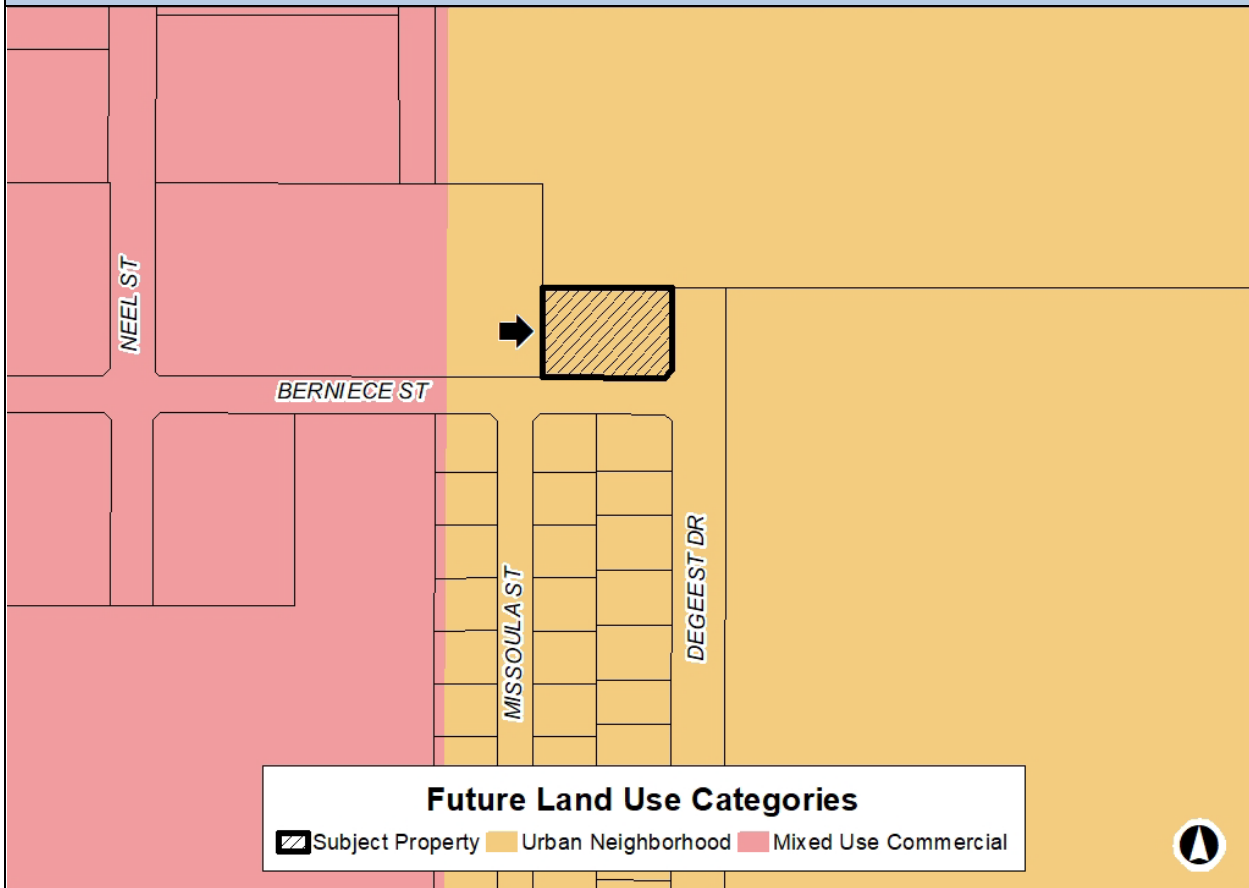
Rapid City Planning Commission
Planned Development Overlay Project Report
May 7, 2020

Item #7	
Applicant Request(s)	
Case #20PD016 – Final Planned Development Overlay to allow an apartment complex	
Companion Case(s) N/A	
Development Review Team Recommendation(s)	
Staff recommends approval of the Final Planned Development Overlay to allow an apartment complex with stipulations as noted below.	
Project Summary Brief	
The applicant has submitted a Final Planned Development Overlay to allow an apartment complex on a property located at the intersection of Degeest Drive and Bernice Street. Specifically, the applicant intends to construct a 12-unit apartment building on the property. The subject property is 0.53 acres in size and is currently zoned Medium Density Residential District and is located within a Planned Development Designation. Pursuant to Section 17.50.050 of the Rapid City Municipal Code, a Final Planned Development Overlay must be reviewed and approved prior to issuance of a Building Permit for any property located within a Planned Development Designation. As such, the applicant has submitted this Final Planned Development Overlay application to allow the proposed apartment building.	
Applicant Information	Development Review Team Contacts
Applicant: Boom Construction	Planner: John Green
Property Owner: Boom Investment	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: Longbranch Engineering	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett
Subject Property Information	
Address/Location	Northwest of the intersection of Bernice Street and Degeest Drive
Neighborhood	Elk Vale Road Neighborhood Area
Subdivision	Big Sky Business Park Subdivision
Land Area	0.53 acres or 23,087 square feet
Existing Buildings	Void of structural development
Topography	Relatively level
Access	Bernice Street/Degeest Drive
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills power/MDU
Floodplain	N/A

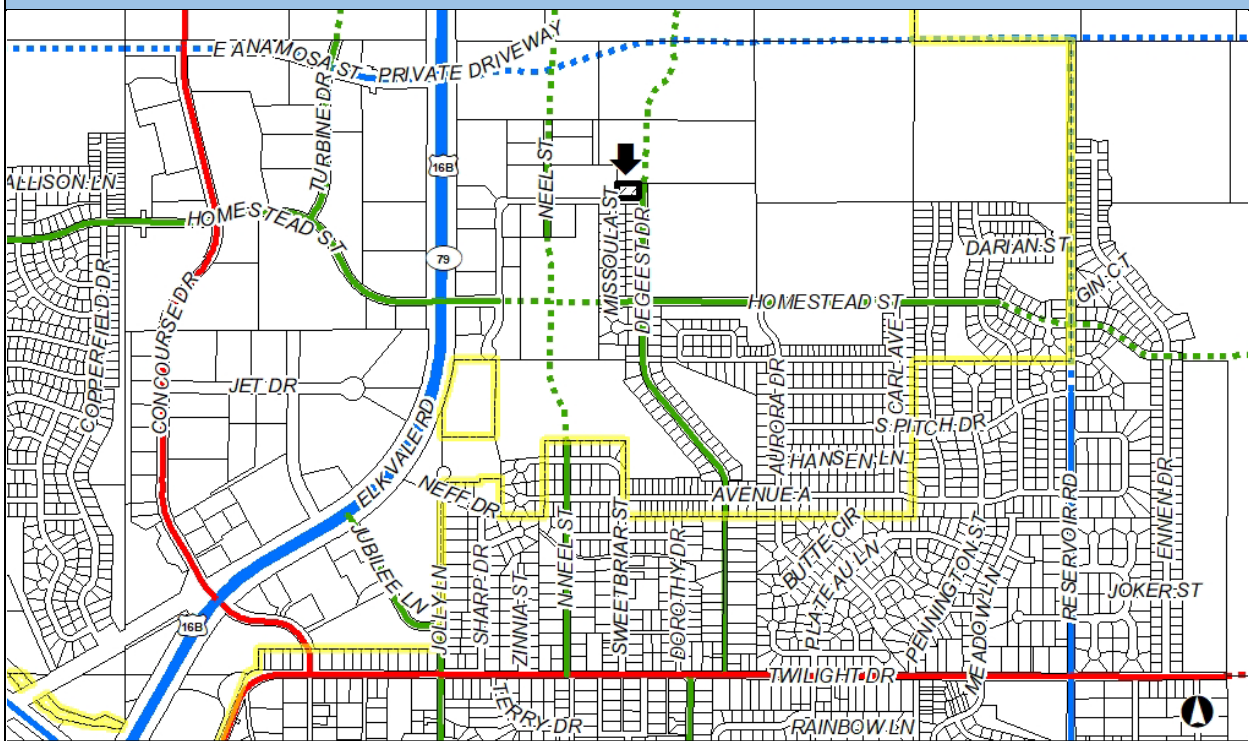
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	MDR-PDD	UN	Vacant
Adjacent North	MDR-PDD	UN	Vacant
Adjacent South	MDR-PD	UN	Single-family dwellings
Adjacent East	MDR-PDD	UN	Vacant
Adjacent West	MDR-PD	UN	Apartment complex



Comprehensive Plan Future Land Use



Parks or Transportation Plan










Relevant Case History			
Case/File#	Date	Request	Action
Relevant Zoning District Regulations			
Medium Density Residential District	Required	Proposed	
Lot Area	23,000 square feet	0.53 acres or 23,087 square feet	
Lot Width	100 feet	Approximately 306 feet	
Maximum Building Heights	3 stories or 35 feet	2 stories	
Maximum Density	30%	21.9%	
Minimum Building Setback:			
• Front	25 feet	90 feet	
• Rear	25 feet	29 feet	
• Side	12 feet	Requesting an Exception to allow a side yard setback of 9 feet in lieu of 12 feet	
• Street Side	20 feet	29 feet	
Minimum Landscape Requirements:			
• # of landscape points	18,055 points	17,924 points	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	18 spaces	22 spaces	
• # of ADA spaces	1 ADA "Van Accessible"	1 ADA "Van Accessible"	
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 Major Amendment to 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 subject property is 0.53 in acres in size and is zoned Medium Density Residential District. Specifically, the applicant intends to develop the property as a 12-unit apartment building. A multi-family apartment building is a permitted use within the Medium Density Residential District. However, the applicant has submitted this Final Planned Development Overlay application because the property is located within a Planned Development Designation, requiring the review and approval of a Final Planned Development Overlay prior to issuance of a Building Permit.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	An apartment complex is a permitted use with the Medium Density Residential District. However, since the property is located within a Planned Development Designation, review and approval of a Final Planned Development Overlay is required prior to issuance of a Building Permit.
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 applicant has requested one Exception as a part of this application. In particular, the applicant has requested to reduce the required side yard setback from 12 feet required to 9 feet along the north property line. Although the request is minimal in nature, the proposed site plan identifies the setback adjacent to Bernice Street as 29 feet, which

	exceeds the required setback distance by 9 feet. The applicant could redesign the proposed building and meet the minimum setbacks required on both the south and north sides of the lot without seeking an Exception. As such, staff recommends that the Exception request to reduce the required side yard setback from 12 feet to 9 feet be denied.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	A multi-family development is a permitted uses within the Medium Density Residential District. The applicant has submitted this application because the property is located within a Planned Development Designation, requiring the review and approval of a Final Planned Development Overlay application prior to issuance of a Building Permit.
5. Any adverse impacts will be reasonably mitigated:	The stipulations of approval of the Final Planned Development Overlay will serve to reasonably mitigate any adverse impacts.
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 applicant has requested one Exception as a part of this application. In particular, the applicant has requested to reduce the required side yard setback from 12 feet required to 9 feet along the north property line. Although the request is minimal in nature, the proposed site plan identifies the setback adjacent to Bernice Street as 29 feet, which exceeds the required setback distance by 9 feet. The applicant could redesign the proposed building and meet the minimum setbacks required on both the south and north sides of the lot without seeking an Exception. As such, staff recommends that the Exception request to reduce the required side yard setback from 12 feet to 9 feet be denied.

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 development will create additional multi-family housing in the neighborhood. The subject property is surrounded by a mix of apartments and single-family residential units,.
	A Vibrant, Livable Community
LC-2.1A	Targeted Residential Growth Areas: The proposed development is located within the Urban Services Boundary and will utilize existing infrastructure.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
T1-2.1A	Major Street Plan Integration: The property will be accessed via Degeest Drive, which is identified as a Collector Street on the City’s Major Street Plan and Bernice Street, which is identified as a Local Street.

	Economic Stability and Growth
	N/A
	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 Initial Planned Development Overlay 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:	
SDP-N1	Mix of Housing Types: The proposed development project will add a mix of multi-family housing to existing single-family residential uses in the neighborhood.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Elk Vale Neighborhood Area
Neighborhood Goal/Policy:	
EV-NA1.1A	Residential Growth: The proposed apartment complex will create additional housing options in the Elk Vale Neighborhood Area.

Findings	
<p>Staff has reviewed the Final Planned Development Overlay to allow an apartment complex 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 this Final Planned Development Overlay to allow a 12-unit apartment building on the subject property. A multi-family development is a permitted use within the Medium Density Residential District, but requires the review and approval of this Final Planned Development Overlay because the property is located within a Planned Development Designation. The proposed development adds a variety of housing type to the existing neighborhood of single-family dwelling units and multi-family dwelling units and appears to be in keeping with the existing character of the neighborhood. As such, staff recommends approval of the Final Planned Development Overlay to allow an apartment complex.</p>	

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends approval of the Final Planned Development Overlay to allow an apartment complex with the following stipulations:	
1.	An Exception is hereby denied to reduce the required side yard setback on the northern lot line of the property from 12 feet to 9 feet;
2.	Prior to submittal of a Building Permit, the site plan shall be revised to show a minimum of 18,055 landscape points;
3.	The Final Planned Development Overlay shall allow for a 12-unit apartment complex. Any change in use or expansion of use that is permitted in the Medium Density Residential District shall require a Minimal Amendment to the Final Planned Development. Any change in use or expansion of use that is a Conditional Use in the

	Medium Density Residential District shall require the review and approval of a Major Amendment to the Final Planned Development Overlay.
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Rapid City Department of Community Development

Development Review Advisories

<i>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.</i>	
	Applicant Request(s)
Case # 20PD016	Final Planned Development Overlay to allow an apartment complex
Companion Case(s) N/A	N/A
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction or placement of a mobile home 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.	An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
5.	A Right-of-way Permit shall be obtained prior to any work within the right-of-way, including grading;
6.	ADA accessibility shall be provided throughout the structure and site as necessary;
7.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment;
8.	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,
9.	All applicable provisions of the adopted International Fire Code shall continually be met.