



# Rapid City Zoning Board of Adjustment Planned Development Project Report

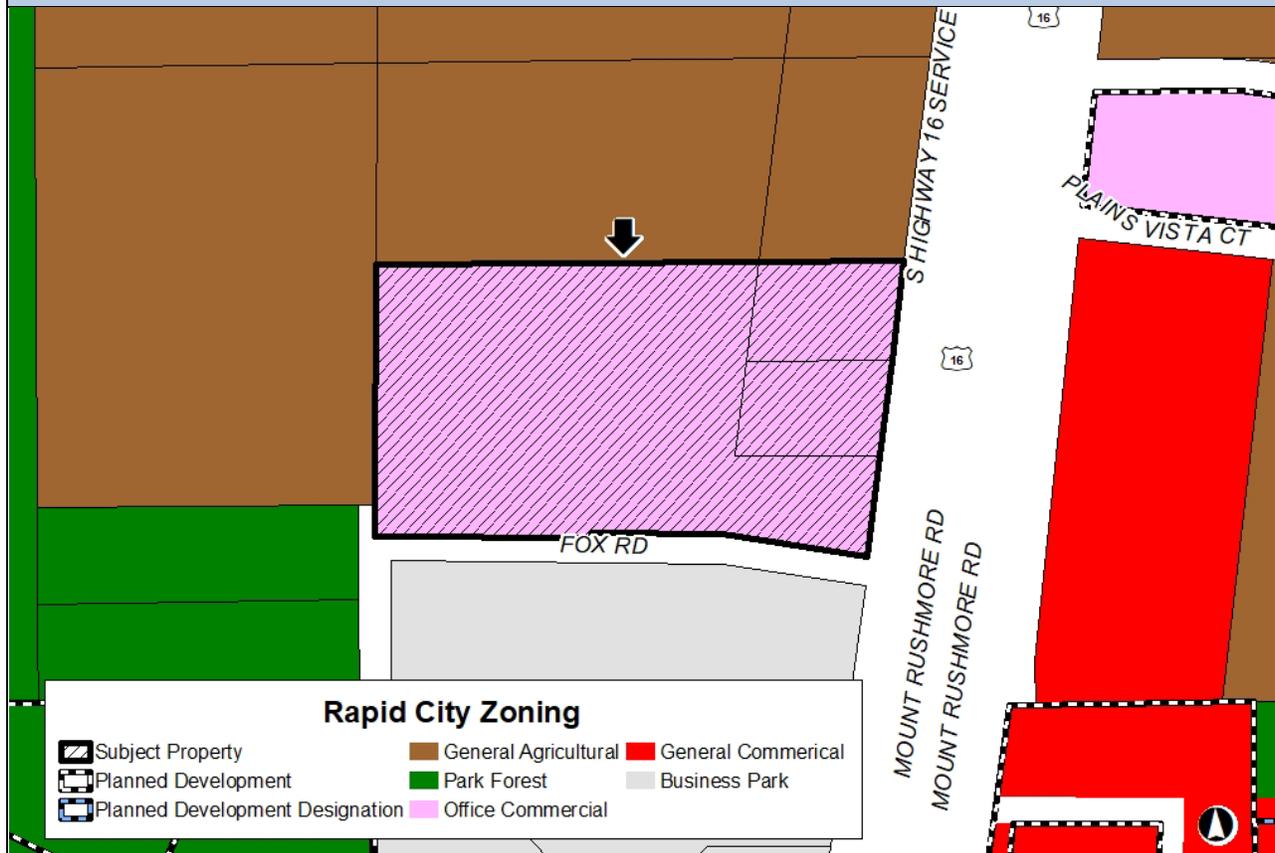
January 21, 2021

<b>Item #9</b>	
<b>Applicant Request(s)</b>	
Case #20PD034 – Major Amendment to an Initial Planned Development Overlay to allow an apartment complex	
Companion Case(s) N/A	
<b>Development Review Team Recommendation(s)</b>	
Staff recommends approval of the Major Amendment to an Initial Planned Development Overlay with the stipulations noted below.	
<b>Project Summary Brief</b>	
<p>The applicant has submitted a Major Amendment to an Initial Planned Development Overlay application to allow an apartment development on property located northwest of the intersection of Fox Road and U.S. Highway 16 Service Road/Mount Rushmore Road. The apartment development includes 14, two-story apartment buildings with a total of 308 units, a community building, 12 garage structures and an outdoor swimming pool. The applicant is requesting to waive the landscaped parking island requirement and to install landscaped parking peninsulas. The applicant is also requesting an Exception to waive the fencing requirement along the west property line.</p> <p>The subject property is zoned Office Commercial District. On February 19, 2019, the City Council approved an Initial Planned Development Overlay to allow an apartment complex with 325 units. The City Council also approved an Exception request to allow a height of four stories, 48.4 feet in lieu of a maximum 3 stories, 35-foot height allowed in the Office Commercial District for the apartment structures. The new proposal is two stories and 25 feet in height.</p> <p>Please note that a Final Planned Development must be approved by the Planning Commission prior to issuance of a building permit. Should this application be approved, the applicant must address concerns such as landscaping, parking, site layout, and traffic as part of the Final Planned Development application.</p>	
<b>Applicant Information</b>	<b>Development Review Team Contacts</b>
Applicant: Cresten Capital Holdings	Planner: Fletcher Lacock
Property Owner: Second Floor LLC	Engineer: Todd Peckosh
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc.	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Todd Peckosh
Other: N/A	DOT: Stacy Bartlett
<b>Subject Property Information</b>	
Address/Location	5125 Mount Rushmore Road
Neighborhood	U.S. Highway 16 Neighborhood Area
Subdivision	Section 23, T1N, R7E
Land Area	14.05 acres
Existing Buildings	Void of structural development
Topography	Rises in elevation 36 feet from south to north
Access	Fox Road
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills Power/MDU
Floodplain	N/A

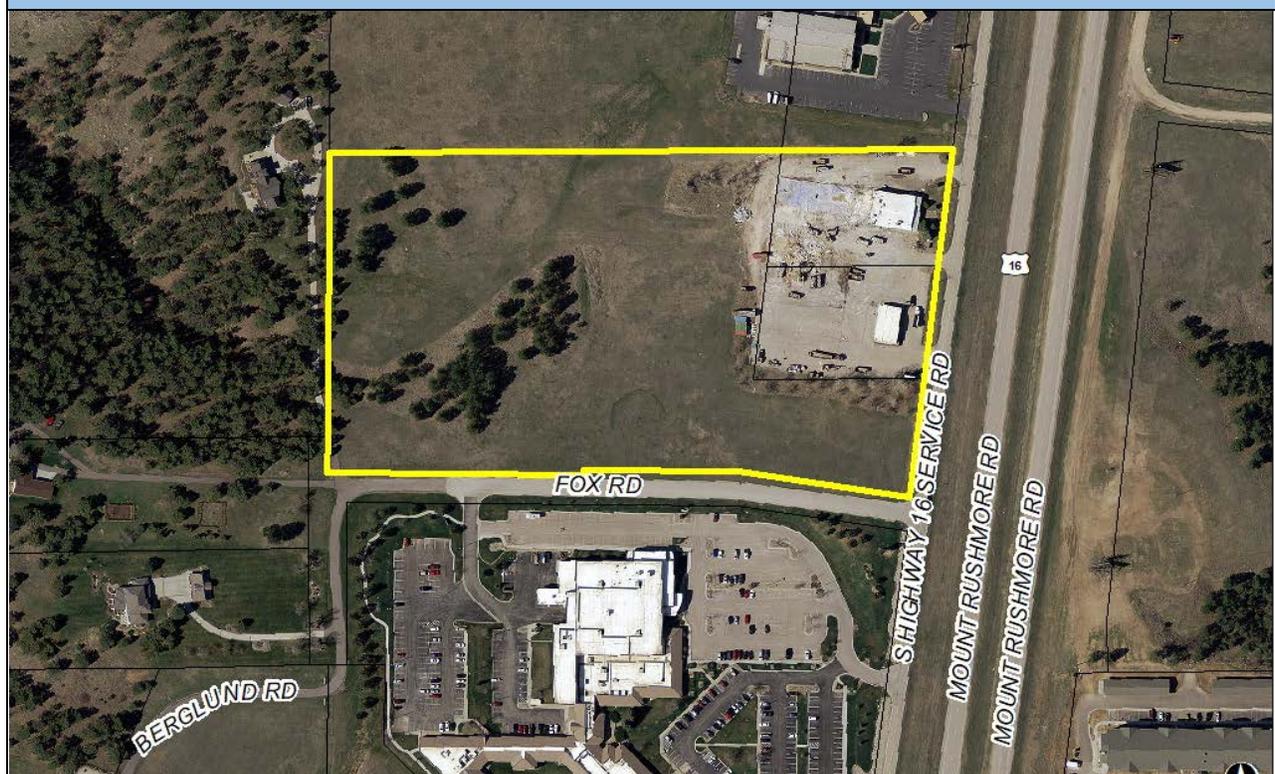
**Subject Property and Adjacent Property Designations**

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC/GA	EC	Void of structural development
Adjacent North	GA	EC	Church
Adjacent South	BP	EC	University (NAU)
Adjacent East	GC	EC	Mt. Rushmore Road
Adjacent West	GA	LDN	Single Family Residence

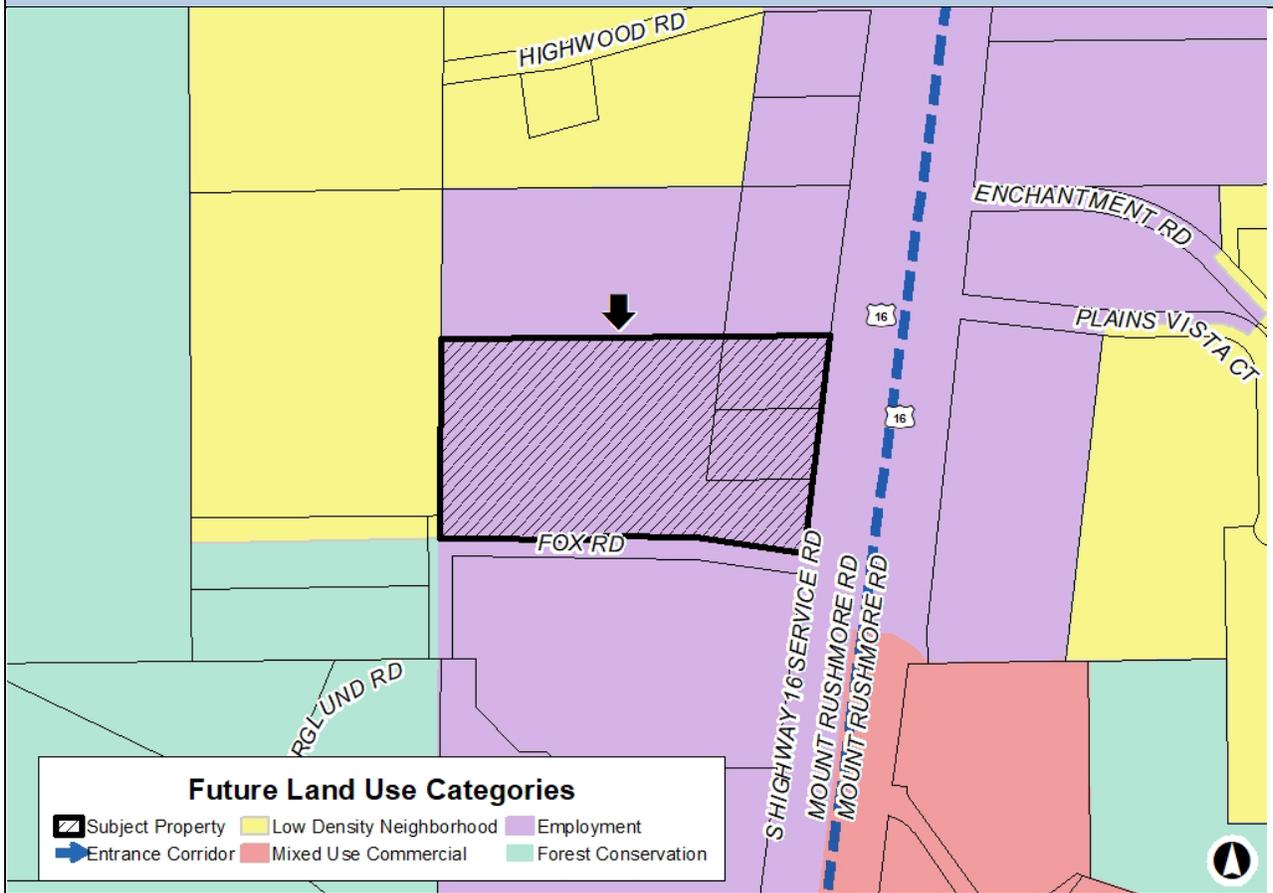
**Zoning Map**



**Existing Land Uses**



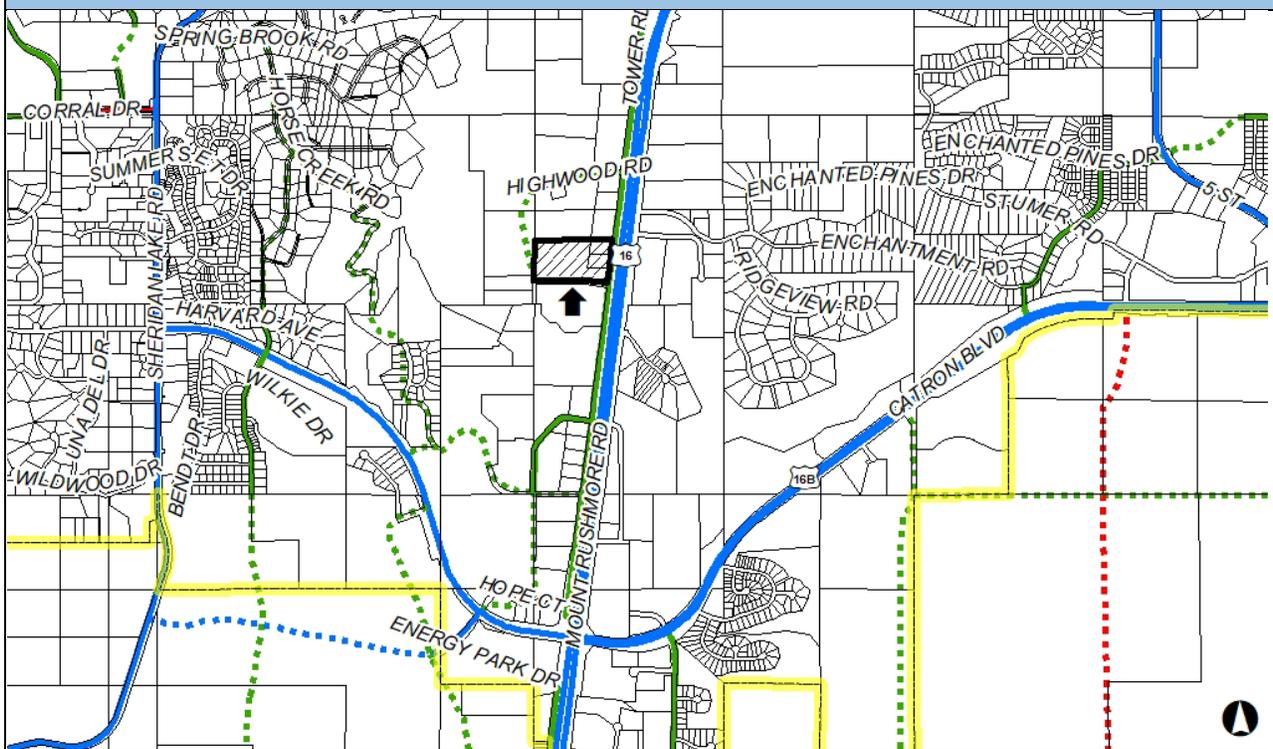
### Comprehensive Plan Future Land Use



#### Future Land Use Categories

- Subject Property
- Low Density Neighborhood
- Employment
- Entrance Corridor
- Mixed Use Commercial
- Forest Conservation

### 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

<b>Relevant Case History</b>			
<b>Case/File#</b>	<b>Date</b>	<b>Request</b>	<b>Action</b>
18PD029	02/19/2019	Initial Planned Development to allow an apartment development	City Council approved
18RZ028	03/04/2019	Rezoning from General Commercial District to Office Commercial District	City Council approved
18RZ027	03/04/2019	Rezoning from General Agricultural District to Office Commercial District	City Council approved
<b>Relevant Zoning District Regulations</b>			
Office Commercial District		<b>Required</b>	<b>Proposed</b>
Lot Area		530,000 square feet	612,018 square feet
Lot Width		100 feet	1,015 feet
Maximum Building Heights		3 stories or 35 feet	Two stories, 25 feet
Maximum Density		30%	27.1%
Minimum Building Setback:			
• Front		25 feet	25 feet
• Rear		25 feet	58 feet
• Side		12 feet	25 feet
• Street Side		25 feet	25 feet
Minimum Landscape Requirements:			
• # of landscape points		469,068 points	Landscape plan is not required with Initial Planned Development Overlay application
• # of landscape islands		9	Exception to allow 17 landscaped peninsulas in lieu of parking lot islands
Minimum Parking Requirements:			
• # of parking spaces		462	521
• # of ADA spaces		11	18
Signage		As per RCMC 17.50.100	None shown
Fencing		As per RCMC 17.50.340	Exception to waive the screening fence requirement along the west property line

<b>Planning Commission Criteria and Findings for Approval or Denial</b>	
<b>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:</b>	
<b>Criteria</b>	<b>Findings</b>
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	<p>The subject property is located along an entrance corridor in a neighborhood consisting of a university campus (NAU), an assisted living center, a church, and single-family residences. The subject property was formerly a gold processing facility, but that structure has been removed from the property and the lot is currently void of any structural development.</p> <p>On February 19, 2019, the City Council approved an Initial Planned Development Overlay to allow an apartment complex with five 4-story residential structures, a community center, and garage structures along the boundary of the project. This application is a Major Amendment to the Initial Planned Development Overlay.</p>

<p>2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:</p>	<p>The applicant is proposing to construct 14 two-story apartment buildings, 4 garage structures, and a community building with an outdoor pool. One primary structure is allowed per property. As such, a Final Planned Development Overlay must be approved to allow multiple primary structures.</p>
<p>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:</p>	<p>The applicant is requesting two Exceptions. The first is to waive the requirement to provide a screening fence along the west property line where the property abuts a single-family lot. The west property line is the location of a section line highway requiring that structures be setback a minimum of 58 feet. After discussions with staff, the applicant has removed parking and circulation from the section line highway and associated setback. Please note that a fence is not allowed within a section line highway. As such, the applicant is proposing a landscaped buffer along the west side of the property to provide a screen and physical buffer. In addition, the back side of the proposed garages will serve as a physical buffer from the adjacent property. For these reasons, staff recommends that the screening fence requirement be waived. Upon submittal of a Final Planned Development Overlay application, a landscape plan must be submitted for review and approval.</p> <p>The second Exception request is to waive the landscaped parking lot island requirement and to allow landscaped peninsulas. Nine landscaped parking lot islands are required for the proposed 521 parking spaces. The applicant is proposing to construct 17 landscaped peninsulas, which are surrounded by parking lot on three sides instead of four sides, to be considered an "island". The peninsulas are located within the parking lots and serve to break up the continuous pavement. Staff recommends that the Exception be granted provided that a tree is included within each peninsula to comply with the intent of the Zoning Ordinance.</p>
<p>4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:</p>	<p>The property is zoned Office Commercial District with an approved Initial Planned Development Overlay. A Final Planned Development Overlay must be approved to allow multiple primary structures.</p>
<p>5. Any adverse impacts will be reasonably mitigated:</p>	<p>The proposed 308-unit apartment development will generate a significant amount of traffic. Traffic congestion along the service road and access points onto Mount Rushmore Road are a concern. Section 2.17.1 of the Infrastructure Design Criteria Manual states that a Traffic Impact Study must be submitted for review and approval when a multi-family residential development with 150 or more dwelling units is being proposed. As a part of the Final Planned Development Overlay application, a Traffic Impact Study must also be submitted for review and approval. Improvements required to address the traffic generated by the proposed use must be completed as a part of the Final Planned Development Overlay.</p> <p>Upon submittal of a Final Planned Development Overlay application, the site plan must be revised to show property line sidewalks or a Variance must be obtained from the City Council.</p>

	<p>Drainage, sewer and water design reports and calculations must be submitted for review and approval.</p> <p>Prior to submittal of a Building Permit, a Developmental Lot Agreement or a Lot Line Adjustment / Consolidation Plat must be submitted for review and approval.</p>
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 two Exceptions. The proposed landscaped peninsulas will serve to break up the expanses of pavement. In addition, the setback and proposed landscape buffer will serve to provide a physical separation from the adjacent single-family dwelling to the west in lieu of a screening fence.

**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:**

<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
	<b>A Balanced Pattern of Growth</b>
BPG-3.1A	Balanced Uses: The goal is to support a balanced mix of residential, commercial, employment, public uses, parks and green space throughout the community. The apartment development introduces a diversified housing option for students and employees within the area.
	<b>A Vibrant, Livable Community</b>
LC-2.1C	Variety of Housing Types: The goal is to encourage new neighborhoods that contain a mix of housing types, with high density and multi-family housing near collector and arterial streets. Mount Rushmore Road is identified as a Principal Arterial Street on the City's Major Street Plan. Mount Rushmore Road is also identified as an entrance corridor requiring that the density and scope of the project be designed to minimize the impact along the street.
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
SHIS-1-1.B	Growth Coordination: The goal is to align future expansions and improvements to address existing needs and support future growth. The proposed apartment development will provide housing options for the existing schools and employees within the area. Significant development has occurred at the intersection of Mount Rushmore Road and Catron Boulevard with anticipated continued growth within the area. The proposed development will provide housing options as the area continues to grow.
	<b>Efficient Transportation and Infrastructure Systems</b>
T1-2.1A	Major Street Plan Integration: The goal is to integrate the Major Street Plan into land use planning and the development review process in order to ensure the development and maintenance of a complete roadway network. Mount Rushmore Road is identified as a Principal Arterial Street on the City's Major Street Plan and has been designed to accommodate large volumes of traffic. A Traffic Impact Study will be required as a part of a Final Planned Development for this project to ensure that any improvements to the road system to accommodate the proposed development are provided as a part of approval for the project.

 <b>Economic Stability and Growth</b>	
EC-1.2A	Housing Stock: The goal is to maintain diverse and attractive housing options close to employment areas and to encourage infill development and redevelopment near major employment centers. With the removal of the gold processing facility from the property, the redevelopment of the property with an apartment development provides an alternate housing option for the area. The existing and continued commercial growth along the Mount Rushmore Road/Catron Boulevard corridor has created a major employment center within this area of our community.
 <b>Outstanding Recreational and Cultural Opportunities</b>	
	N/A
 <b>Responsive, Accessible, and Effective Governance</b>	
GOV-2.1A	Public Input Opportunities: The proposed Major Amendment to an Initial 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 Major Amendment to an 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	
<b>Future Land Use Plan Designation(s):</b>	Employment Center
<b>Design Standards:</b>	
GDP-ES1:	Building Design and Character: The proposed Initial Planned Development Overlay to allow an apartment development creates multiple building volumes and masses with primary residential structures and accessory garages. This Major Amendment to an Initial Planned Development Overlay will reduce the proposed height significantly from what was previously approved; from 4 stories to 2 stories.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
<b>Neighborhood:</b>	U.S. Highway 16 Neighborhood Area
<b>Neighborhood Goal/Policy:</b>	
US16-NA1.1B	Mixed Use Development: The proposed apartment complex will provide multi-family housing options near an existing university campus and employment corridor.

Findings	
<p>Staff has reviewed the Major Amendment to an Initial Planned Development Overlay to allow the apartment development 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 Office Commercial District has served as a transitional area to buffer single-family residential development from the more intense general commercial uses and arterial streets. An apartment development at this location may be appropriate if it is designed to maintain the character of the neighborhood. In addition, the apartment development will provide diversified housing options for students and employees within this growing area. The applicant is requesting two Exceptions to waive the screening fence requirement and to allow landscaped peninsulas in lieu of parking lot islands. The setback from the west property line, proposed landscape buffer, and layout of the garages will serve to create a physical buffer. In addition, the peninsulas will serve the purpose of breaking up expanses of pavement within the interior of the site.</p>	

<b>Planning Commission Recommendation and Stipulations of Approval</b>	
Staff recommends approval of the Major Amendment to an Initial Planned Development Overlay with the following stipulations:	
1.	An Exception is hereby granted to waive the screening fence requirement contingent upon a landscape buffer being provided along the west property line;
2.	An Exception is hereby granted to waive the nine required landscape islands contingent upon 17 landscaped peninsulas being provided. A minimum of one-tree shall be included in each peninsula;
3.	A minimum 58-foot setback shall be maintained along the west lot line, a section line highway;
4.	Upon submittal of a Final Planned Development Overlay application, a landscape plan shall be submitted for review and approval;
5.	Upon submittal of a Final Planned Development Overlay application, plans for the swimming pool in compliance with Chapter 17.50.320 of the Rapid City Municipal Code shall be submitted for review and approval;
6.	Upon submittal of a Final Planned Development Overlay application, a sign package in conformance with Chapter 17.50.080 of the Rapid City Municipal Code shall be submitted for review and approval if signage is being proposed. No electronic signs are being approved as a part of this Major Amendment to an Initial 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 be obtained for each individual sign;
7.	Upon submittal of a Final Planned Development Overlay application, a lighting plan shall be submitted for review and approval. 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;
8.	Upon submittal of a Final Planned Development Overlay application, the elevations for the proposed garages and community room shall be submitted for review and approval;
9.	Upon submittal of a Final Planned Development Overlay application, a drainage plan shall be submitted for review and approval;
10.	Upon submittal of a Final Planned Development Overlay application, a sewer and water design report shall be submitted for review and approval;
11.	Upon submittal of a Final Planned Development application, a Traffic Impact Study shall be submitted for review and approval by the City and South Dakota Department of Transportation. In addition, any improvements needed to accommodate the increase in traffic generated by the proposed use shall be completed prior to issuance of a Certificate of Occupancy;
12.	Prior to issuance of a Building Permit, a lot line adjustment / consolidation plat shall be submitted for review and approval;
13.	All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of the Major Amendment to the Initial and/or Final Planned Development Overlay.
14.	This Major Amendment to an Initial Planned Development Overlay shall allow a 308-unit apartment complex. Prior to issuance of a Building Permit, a Final Planned Development Overlay shall be submitted for review and approval.



## 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.*

<b>Applicant Request(s)</b>	
<b>Case #20PD034</b>	Major Amendment to an Initial Planned Development Overlay to allow an apartment development
<b>Companion Case(s)</b>	N/A
<b>ADVISORIES: Please read carefully!</b>	
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 currently adopted Building Code shall be met;
3.	ADA accessibility shall be provided throughout the structure and site as necessary;
4.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development Overlay;
5.	An Air Quality Permit shall be obtained prior to disturbing an acre or more of soil;
6.	All applicable provisions of the adopted International Fire Code shall continually be met;
7.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met; and,
8.	A Right-of-way Permit shall be obtained prior to any work within the right-of-way, including grading.