



Rapid City Planning Commission Planned Development Project Report

June 24, 2021

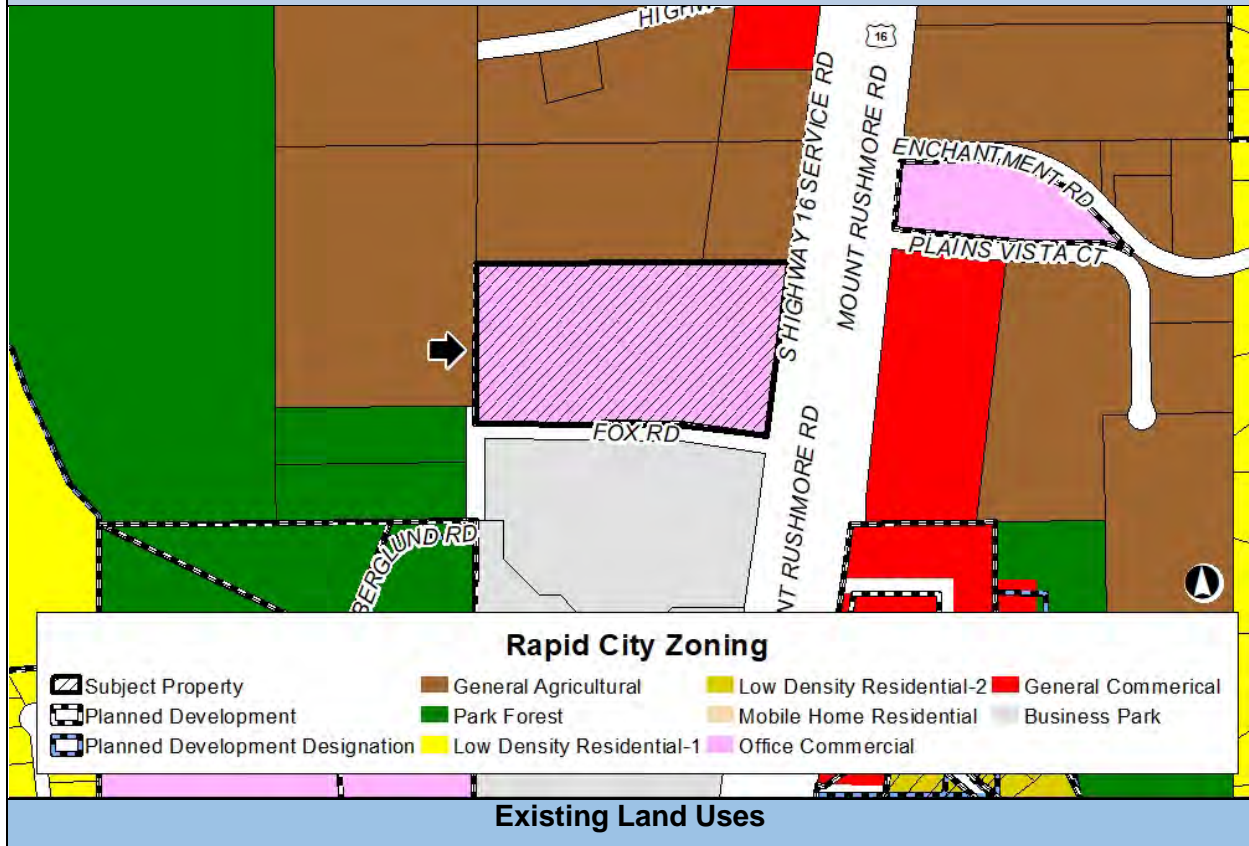
Item #2	
Applicant Request(s)	
Case #21PD023 – Final Planned Development Overlay to allow an apartment complex	
Companion Case(s) N/A	
Development Review Team Recommendation(s)	
Staff recommends approval of the Final Planned Development Overlay with the stipulations noted at the end of the report.	
Project Summary Brief	
<p>The applicant has submitted a Final 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 (84 units) and an outdoor swimming pool. The subject property is zoned Office Commercial District. The site plan demonstrates that the proposal meets the minimum requirements for parking, landscaping, and open space in the Office Commercial Zoning District with an Initial Planned Development Overlay. The Initial Planned Development Overlay (20PD034) granted the following exceptions:</p> <ul style="list-style-type: none"> - An Exception to waive the screening fence requirement along the west lot line contingent upon a landscape buffer being provided along the western portion of the property. - An Exception 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. <p>The apartment complex will be constructed in two phases. Phase I is located on the easternmost portion of the lot adjacent to Mt. Rushmore Road. It includes the construction of (5) 24-unit buildings, (1) 12-unit building (1) 8-unit building, the clubhouse/outdoor pool, and the required associated parking areas and open space. Phase II will deliver the remaining (7) 24-unit buildings and the associated parking areas and open space.</p>	
Applicant Information	Development Review Team Contacts
Applicant: LLAP LLC	Planner: Sarah Hanzel
Property Owner: Erica Mullaly, Authorized Representative	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
Subject Property Information	
Address/Location	5125 Mount Rushmore Road
Neighborhood	U.S. Highway 16 Neighborhood Area
Subdivision	Second Floor Subdivision
Land Area	14.03 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 Energy/MDU

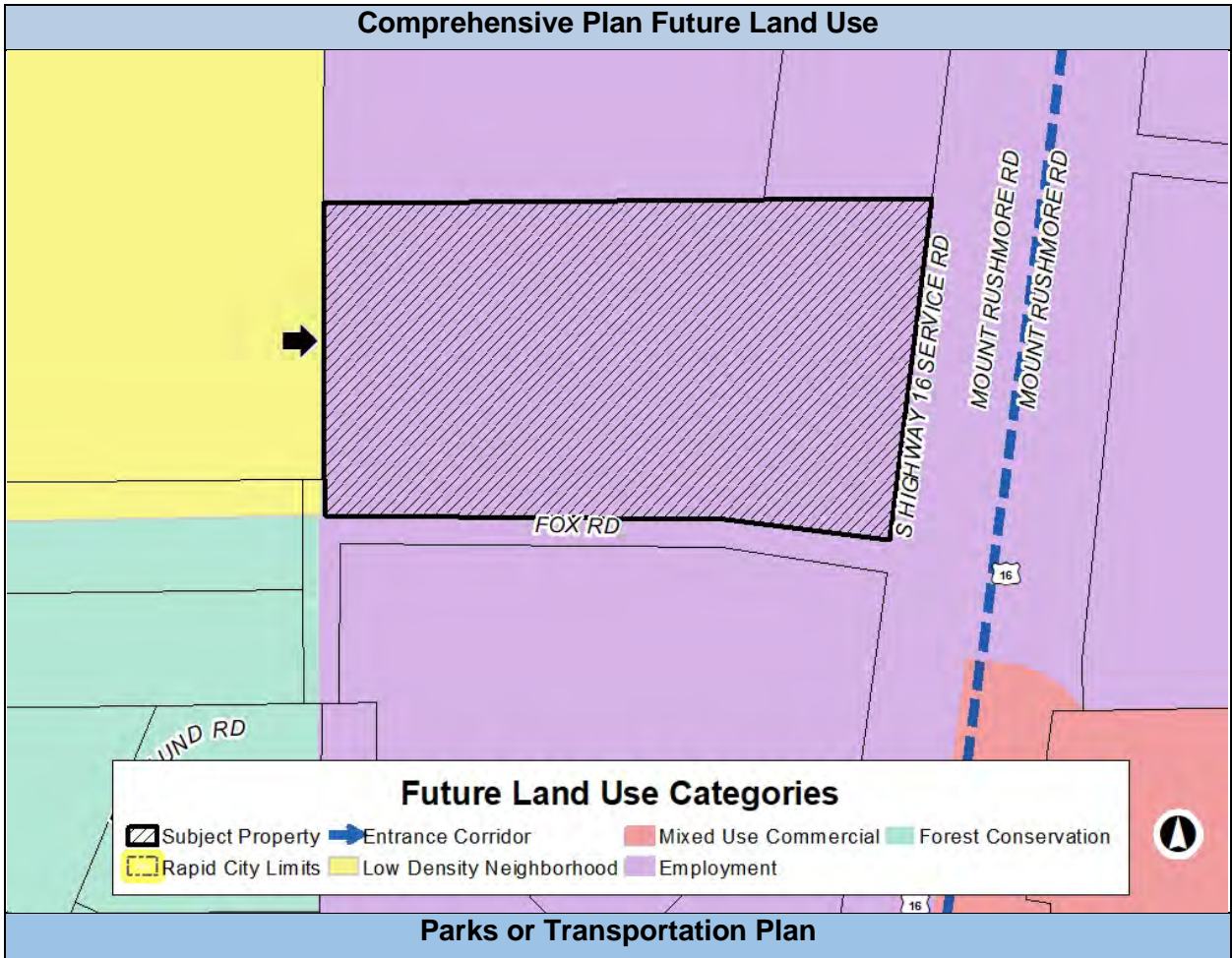
Floodplain	N/A
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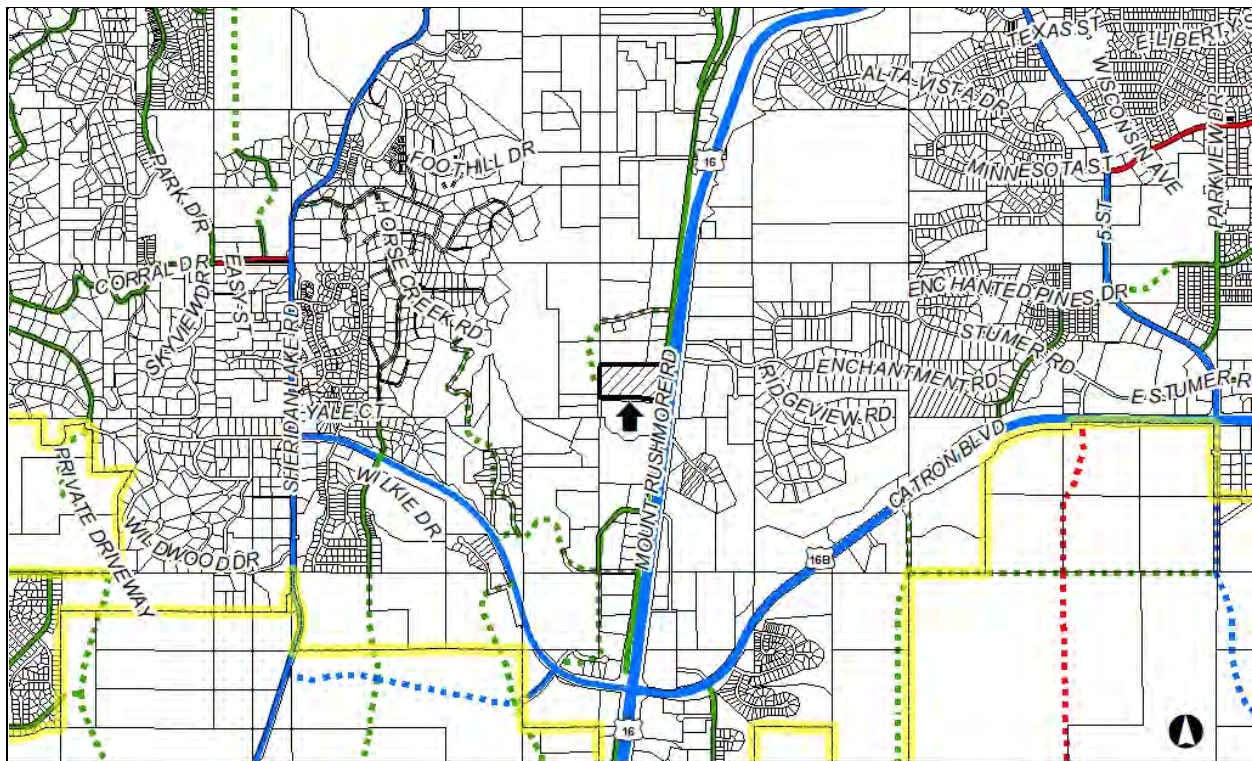
Subject Property and Adjacent Property Designations

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

Zoning Map







Major Street Plan

- Subject Property
- Collector
- Principal arterial
- Proposed minor arterial
- Rapid City Limits
- Proposed collector
- Proposed principal arterial

Relevant Case History

Case/File#	Date	Request	Action
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
20PD034	1/21/21	Major Amendment to an Initial Planned Development Overlay to allow an apartment complex	Planning Commission approved

Relevant Zoning District Regulations

Office Commercial District	Required	Proposed
Lot Area	530,000 square feet	611,146 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 to building edge
• Street Side	25 feet	25 feet
Minimum Landscape Requirements:		
• # of landscape points	469,068 points	611,150
• # of landscape islands	9	Exception granted to allow 17 landscaped peninsulas in lieu of parking lot islands
Usable Open Space	123,200 square feet	141,890 square feet

Minimum Parking Requirements:		
• # of parking spaces	489	497
• # of ADA spaces	9	18
Signage	As per RCMC 17.50.100	(2) entrance signs – monument style
Fencing	As per RCMC 17.50.340	Exception to waive the screening fence requirement along the west property line contingent on a landscape buffer

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:	<p>The subject property is located along an entrance corridor in a neighborhood consisting of a former 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 Final Planned Development Overlay which revises the project to include 14 two-story apartment structures.</p>
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	<p>The applicant is proposing to construct 14 two-story apartment buildings, 12 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>
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>The applicant obtained two exceptions with the approval of the Initial Planned Development Overlay (20PD034). The first exception was to waive the fencing requirement contingent upon providing a landscape screen instead. The Final Planned Development Overlay site plan identifies five trees, Austrian Black Pine, to meet this stipulation and provide the screen and physical buffer to the adjacent property. In addition, the site plan shows the back side of the proposed garages to further provide a physical buffer. Furthermore, the applicant is providing a minimum 58 foot setback from the west lot line to further separate the structural development from the existing residential development west of the subject property.</p> <p>The second exception was to eliminate the required 9 landscaped islands provided that 17 landscaped peninsulas be provided, wherein each peninsula has at</p>

	<p>least one tree. The Final Planned Development Overlay site plan confirms the location of the 17 peninsulas, each containing at least one tree. These peninsulas are located within the parking areas and serve to break up the continuous pavement with landscaping which is the intent of the Zoning Ordinance.</p> <p>The applicant has obtained sidewalk variances from the City Council for the sidewalks along Fox Run and Mount Rushmore Road.</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. Multi-family residential uses are allowed in the Office Commercial District provided certain criteria are met. The Final Planned Development Overlay must be approved in order to obtain a building permit.</p>
<p>5. Any adverse impacts will be reasonably mitigated:</p>	<p>The proposed 308-unit apartment development will generate residential traffic. As a part of the Final Planned Development Overlay application, a Traffic Impact Study was conducted and submitted for review and approval. The Traffic Impact Study did not identify any roadway improvements that need to be completed to support the development.</p> <p>The western lot line of this property is a section line right-of-way. The required 58 foot setback to any structural development is being met as shown on the site plan. The minimum setback requirements for the front (25 feet) and side yard are being met as shown on the site plan. The north side yard is 25 feet from the building edge to the lot line.</p> <p>The site plan demonstrates that the minimum requirements for open space, parking, and landscaping are being met. Usable open space totaling 141,890 square feet is being provided in the form of lawn space behind the buildings accessible from the back door of the units, as well as a community clubhouse and swimming pool. On-site parking spaces totaling 497 are being provided with surface parking lots and garage stalls throughout the development. American's with Disability (ADA) parking totaling 18 spaces exceeds the minimum required 9 spaces. The Landscaping Plan identifies that the development will exceed the minimum number of landscaping points by 162,275. The development includes a mixture of deciduous, flowering, and conifer trees as well as shrubs and turf area.</p> <p>The City is working on a project to install water and sewer infrastructure in Fox Road. The project developer will coordinate with the City Design Group on location and timing.</p>
<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</p>	<p>The Office Commercial District allows multi-family residential development; however, multiple structures are only allowed through the use of the Planned Development Overlay process. This alternative allows flexibility in the planning and design of residential structures to achieve housing diversity, while still implementing the intent of the</p>

sought to be modified:	Zoning Ordinance. This development also required two additional Exceptions to the Zoning Ordinance. The Exceptions, noted previously, were approved with the Initial Planned Development Overlay Application. This Final Planned Development Overlay confirms that the site plan addresses the stipulations of the Exceptions' approval. No additional Exceptions are being requested.
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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-3.1A	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 employees within the area.
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 **A Vibrant, Livable Community**

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.
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 **A Safe, Healthy, Inclusive, and Skilled Community**



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 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.
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 **Efficient Transportation and Infrastructure Systems**

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. The Traffic Impact Study identified no road system improvements that are needed as a part of approval for the project.
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 **Economic Stability and Growth**

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
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	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.
	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 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):	Employment Center
Design Standards:	
GDP-ES1:	Building Design and Character: The Final Planned Development Overlay to allow an apartment development creates multiple building volumes and masses with primary residential structures and accessory garages. The Final Planned Development Overlay has building heights at 2 stories, whereas the previously approved Initial Planned Development Overlay allowed up to 4 stories.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	U.S. Highway 16 Neighborhood Area
Neighborhood Goal/Policy:	
US16-NA1.1B	Mixed Use Development: The proposed apartment complex will provide multi-family housing options near a growing employment corridor.

Findings	
<p>Staff has reviewed the Final 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 is a transitional area zoning district to buffer single-family residential development from the more intense general commercial uses and arterial streets. The two-story apartment development at this location is designed to maintain the character of the neighborhood, meeting the intent of the Zoning Ordinance. In addition, the apartment development will provide diversified housing options for employees within this growing area. The site plan demonstrates that parking, landscaping, and open space minimum requirements are met. The applicant obtained two Exceptions with the Initial Planned Development Overlay: 1) to waive the screening fence requirement contingent on a landscape buffer and 2) to allow landscaped peninsulas in lieu of parking lot islands. The peninsulas will serve the purpose of breaking up expanses of pavement within the interior of the site. The setback from the west property line, proposed landscape buffer, and layout of the garages will serve to further create a physical buffer to properties west of the subject property.</p>	

Planning Commission Recommendation and Stipulations of Approval
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Staff recommends approval of the Final Planned Development Overlay with the following stipulations:	
1.	The Exception previously granted to waive the screening fence requirement contingent upon a landscape buffer being provided along the west property line is hereby acknowledged;
2.	The Exception previously granted to waive the nine required landscape islands contingent upon 17 landscaped peninsulas being provided, with a minimum of one-tree included in each peninsula, is hereby acknowledged;
3.	A minimum 58-foot setback shall be maintained along the west lot line, a section line highway;
4.	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;
5.	Upon submittal of a building permit a drainage report shall be submitted for review and approval, demonstrating that all drainage and water quality requirements are being met. The drainage plan shall demonstrate that drainage from property to the north shall be accommodated through the site to the same discharge point since it historically flows through the property;
6.	Upon submittal of a building permit, a utility plan shall be submitted for review and approval demonstrating that Phase I shall include sewer up to Manhole 2 of the north alignment;
7.	Upon submittal of a building permit, the construction plans shall demonstrate that Phase I shall include a detention pond;
8.	Upon submittal of a building permit, the applicant shall demonstrate that pond slopes don't exceed 4:1;
9.	Upon submittal of a building permit, the construction plans shall demonstrate that fill slopes steeper than 5:1 and over 5' high (west and southeast areas of property) shall be benched per Infrastructure Design Criteria Manual;
10.	Upon submittal of a building permit, the utility plans shall clearly label water and sewer on-site as private;
11.	Upon submittal of a building permit, provide water and sewer reports for review and approval demonstrating that all Infrastructure Design Criteria Manual are met;
12.	All signage shall meet the requirements of the Rapid City Sign Code. Any proposed electronic or Light Emitting Diode (LED) signage shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for any new signs; and
13.	This Final Planned Development Overlay shall allow a 308-unit apartment development. Any change in use that is a permitted use in the Office Commercial District and complies with the Parking Ordinance shall require the review and approval of a building permit. Any change in use that is a conditional use in the Office Commercial District 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)	
Case #21PD023	Final Planned Development to allow an apartment complex.
ADVISORIES: Please read carefully!	
1.	A building permit shall be obtained prior to any construction. A Certificate of Occupancy shall be obtained prior to use;
2.	An air quality permit shall be obtained prior to disturbance of earth greater than one acre;
3.	All construction plans shall be signed and sealed by a registered professional pursuant to SDCL 36-18A;
4.	All requirements of the currently adopted Building Code shall be met;
5.	All requirements of the International Fire Code shall be met;
6.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
7.	All erosion and sediment control measures shall be installed and continually maintained as necessary;
8.	ADA compliant accessibility shall be maintained as necessary;
9.	All landscaping shall be installed and maintained in compliance with the requirements of the Rapid City Landscaping Ordinance; and,
10.	All lighting shall be designed to preclude shining on adjacent properties and rights-of-ways, so as not to create a nuisance to neighboring properties and traffic.