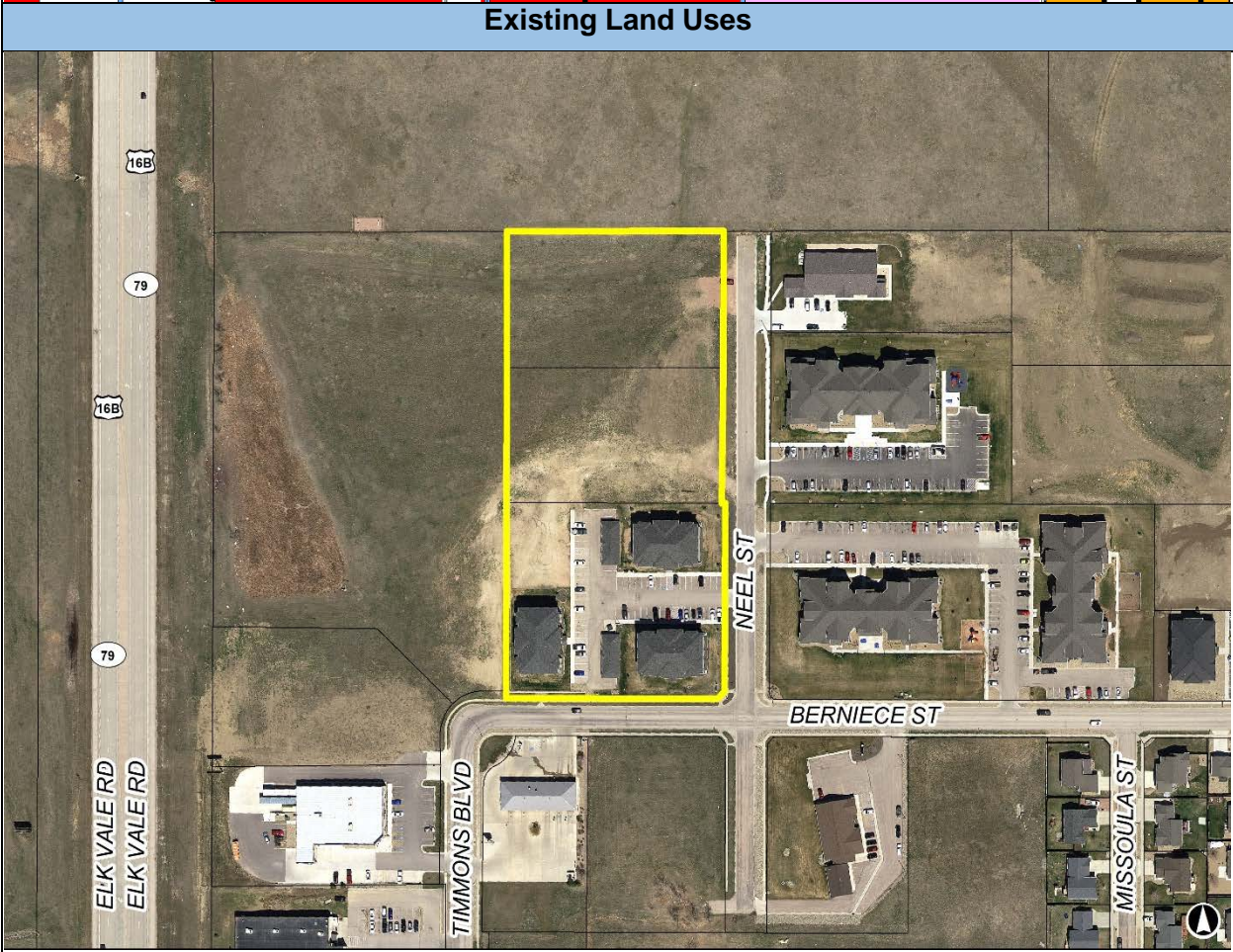
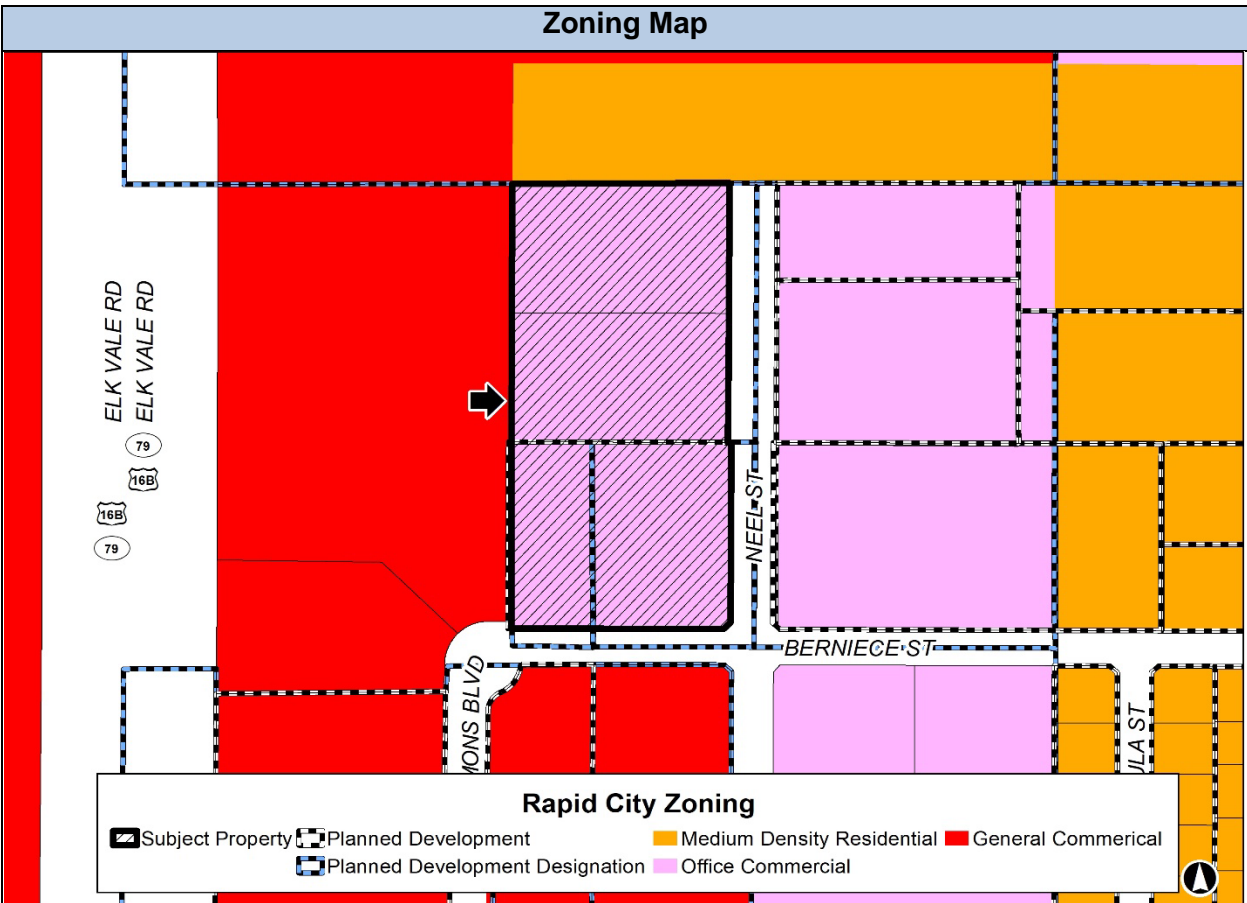




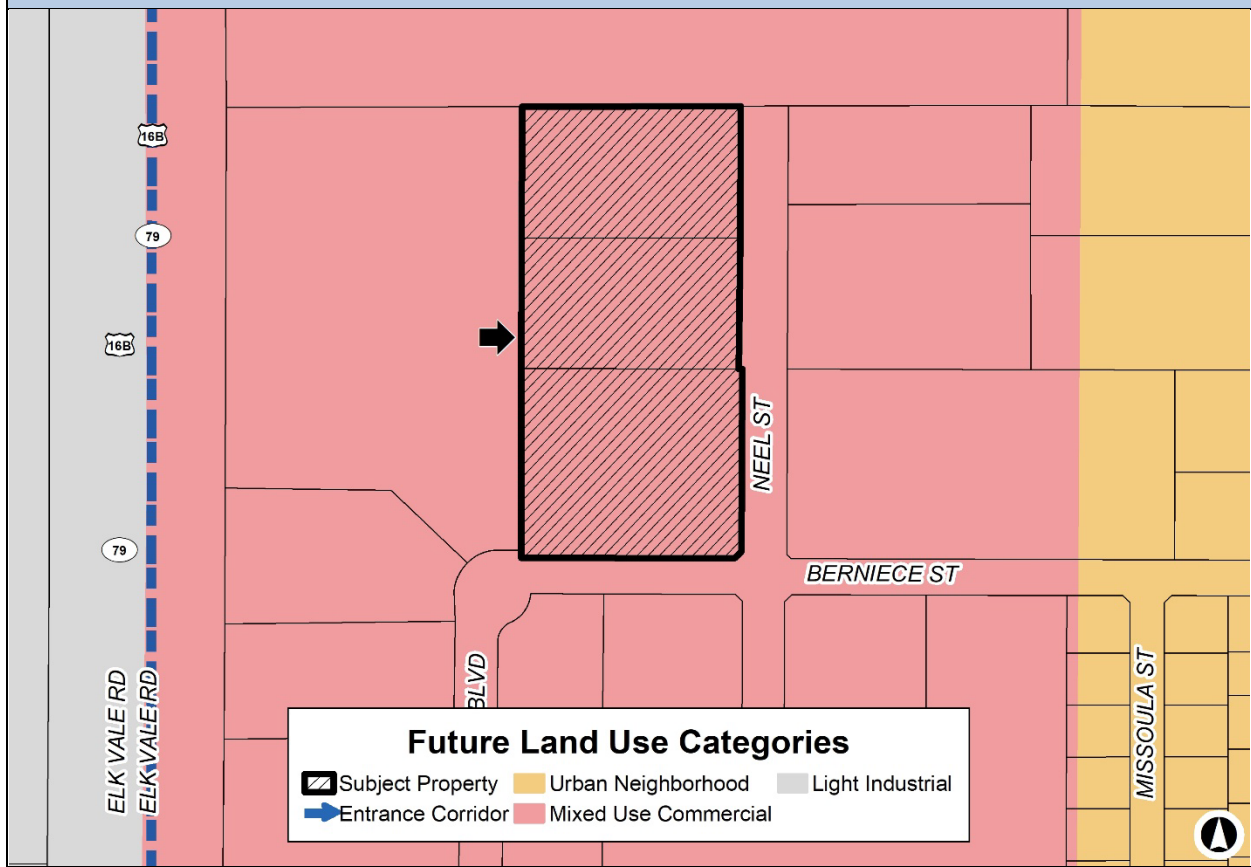
Rapid City Planning Commission Planned Development Project Report

December 9, 2022

Item #28			
Applicant Request(s)			
Case #21PD049 – Major Amendment to a Final Planned Development Overlay to expand an apartment complex			
Companion Case(s): N/A			
Development Review Team Recommendation(s)			
Staff recommends approval of the Major Amendment to a Final Planned Development Overlay to expand an apartment complex with the stipulations noted at the end of the report.			
Project Summary Brief			
The subject property contains 4.69 acres of land within 3 separate lots. There is an existing Planned Development Overlay (File #13PD053) on the property. This Planned Development Overlay allowed the construction of 4 12-plex apartment buildings. To date, 3 have been constructed. With this request, 4 additional 12-plexes are proposed for a total of 96 units. Since the proposal is to expand the apartment complex, a Major Amendment to the Planned Development is required. No exceptions are being requested. The subject property is zoned Office Commercial District which allows apartment complexes. The Future Land Use Designation for this property is Mixed-Use Commercial which encourages housing as a secondary use. The proposed development complies with the City’s adopted Comprehensive Plan.			
Applicant Information		Development Review Team Contacts	
Applicant: Pilot Properties, LLC		Planner: Sarah Hanzel	
Property Owner: Dakota Heartland, Inc.		Engineer: Dan Kools	
Project Planner/Agent: Indigo Design, LLC		Fire District: Tim Behlings	
Engineer: N/A		School District: Kumar Veluswamy	
Surveyor: N/A		Water/Sewer: Todd Peckosh	
Other: N/A		DOT: Stacy Bartlett	
Subject Property Information			
Address/Location	West of Neel Street and North of Berniece		
Neighborhood	Elk Vale Road Neighborhood Area		
Subdivision	Big Sky Business Park Subdivision		
Land Area	4.69 acres/204,296 square feet		
Existing Buildings	(30 apartment buildings)		
Topography	Relatively flat		
Access	Neel Street		
Water / Sewer	City of 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/OC with PD	MUC	Apartment buildings
Adjacent North	MDR	MUC	Void of structural development
Adjacent South	GC/GC with PD	MUC	Car wash
Adjacent East	OC with PD	MUC	Apartment buildings
Adjacent West	GC	MUC	Void of structural development



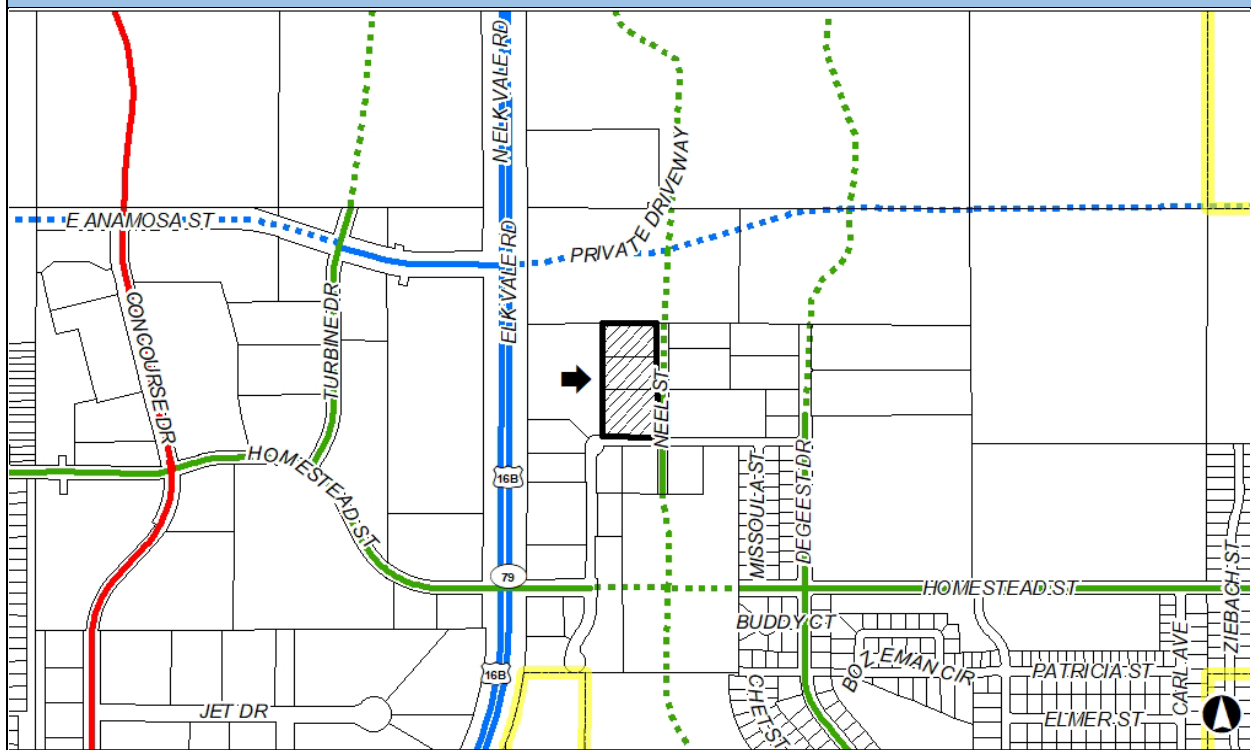
Comprehensive Plan Future Land Use



Future Land Use Categories

- Subject Property
- Urban Neighborhood
- Light Industrial
- Entrance Corridor
- Mixed Use Commercial

Parks or Transportation Plan



Major Street Plan

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

Relevant Case History





Case/File#	Date	Request	Action
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13PD053	1/9/2014	Final Planned Development Overlay to construct an apartment complex	Planning Commission Approved
Relevant Zoning District Regulations			
Office Commercial District	Required	Proposed	
Lot Area	77,000 for expansion area	117,176 for expansion area	
Lot Width	100 feet	313.29	
Maximum Building Heights	3 stories or 35 feet	35 feet	
Maximum Density	30%	24%; 15%; 19%	
Minimum Building Setback:			
• Front	25 feet	34 feet	
• Rear	25 feet	30 feet	
• Side	12 feet	38.29	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	93,269	93,269	
• # of landscape islands	2	2	
Usable Open Space	19,200 sq. ft.	25,340	
Minimum Parking Requirements:			
• # of parking spaces	72	80 surface spaces and 17 garage stalls	
• # of ADA spaces	4	4	
Signage	As per RCMC 17.50.100	N/A	
Fencing	As per RCMC 17.50.340	N/A	

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 subject property contains 4.69 acres of land within 3 separate lots. There is an existing Planned Development Overlay (File #13PD053) on the property. This Planned Development Overlay allowed the construction of 4 12-plex apartment buildings. To date, 3 have been constructed. With this request, 4 additional 12-plexes are proposed for a total of 96 units. Since the proposal is to expand the apartment complex, a Major Amendment to the Planned Development is required.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The subject property is zoned Office Commercial District which allows apartment complexes. Apartment complexes with more than 1 primary structure are reviewed through the Planned Development Overlay.
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 is not requesting any exceptions. The proposed project will be constructed in 3 phases. Phase I will consist of a 12-plex approved with the existing Planned Development Overlay, an 8-stall garage, and additional surface parking. Phase II will include the construction of two 12-plexes, a 9-stall garage, and open space. Phase III will include the remaining two 12-plexes and open space areas.
4. A literal interpretation of this chapter would deprive the	The Future Land Use Designation for this property is Mixed-Use Commercial which encourages housing as a

applicant of rights that others in the same district are allowed:	secondary use. As noted previously, the Office Commercial District allows apartment development which is reviewed through a Planned Development Overlay when multiple primary structures are proposed.
5. Any adverse impacts will be reasonably mitigated:	<p>The proposed development will result in an additional 48 housing units. All requirements of the underlying zoning district are being met. The applicant is required by the Rapid City Municipal Code to provide 72 parking spaces and 19,200 square feet of open space. This project will provide 97 parking spaces and 25,340 square feet of open space. The open space areas include open lawn and a concrete pavilion for outdoor gatherings.</p> <p>The proposed 96-unit development does not require a traffic impact study. Residential traffic resulting from the development will be accommodated on Neel Street, a collector street on the City's Major Street Plan and Berniece Street, a local street.</p> <p>The proposed development will be served by City water and sewer. Prior to submittal of a building permit, the applicant shall submit a lot line adjustment plat to ensure that service lines do not cross property lines.</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 Planned Development Overlay allows multi-structure development to be reviewed on a case-by-case basis for compatibility within a neighborhood. In this instance, the surrounding property is zoned Office Commercial District Medium Density Residential District, and General Commercial District. The proposed development is in compliance with the City's Comprehensive Plan.

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 proposed apartment development introduces additional housing options within the area.
	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. The proposed development will result in additional housing types in this neighborhood.
	A Safe, Healthy, Inclusive, and Skilled Community
N/A	N/A
	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. Residential traffic resulting from the development will be accommodated on Neel Street, a collector street on the City's Major Street Plan and Berniece Street, a local street.
	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. The proposed development is located within an existing neighborhood.
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Major Amendment to a 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 a 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):	Mixed-Use Commercial
Design Standards:	
N/A	N/A

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	
Neighborhood Goal/Policy:	
EV-NA1.1A	Residential growth: This goal supports the expansion and development of new residential neighborhoods between Cambell Street and Elk Vale Road, and in the Rapid Valley area.

Findings	
Staff has reviewed the Major Amendment to a Final Planned Development Overlay to allow the expansion of 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 Office Commercial District allows apartment development which is reviewed through a Planned Development Overlay when multiple primary structures are proposed. No exceptions are being requested. The proposed development is in compliance with the City's Comprehensive Plan.	

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.	A building permit shall be obtained prior to any construction. A Certificate of Occupancy is required prior to occupancy;
2.	All plans, including Footing and Foundation plans, shall be stamped by an engineer;
3.	Prior to submittal of a building permit, a recorded plat document shall be submitted showing lot lines configured such that sewer and water service lines do not cross property lines;
4.	Upon submittal of a building permit, an executed development lot agreement or covenant agreement allowing shared access and parking shall be submitted;
5.	Upon submittal of a building permit, written permission shall be submitted from the owner of Lot 3C, Block 1, Big Sky Business Park allowing storm water from the proposed project to drain across the lot to the existing detention cell;
6.	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;
7.	An Air Quality Permit shall be obtained prior to disturbance of 1 acre or more of soil;
8.	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
9.	This Final Planned Development Overlay shall allow a 48-unit apartment development. These 48 units are in addition to the 48 units previously approved with 13PD053. 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 #21PD049	Initial Planned Development Overlay to expand 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.	All construction plans shall be signed and sealed by a registered professional pursuant to SDCL 36-18A;
3.	All requirements of the currently adopted Building Code shall be met;
4.	All requirements of the International Fire Code shall be met;
5.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
6.	All erosion and sediment control measures shall be installed and continually maintained as necessary;
7.	ADA compliant accessibility shall be maintained as necessary; and,
8.	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.