



# Rapid City Planning Commission

## Initial Planned Development Overlay Project Report

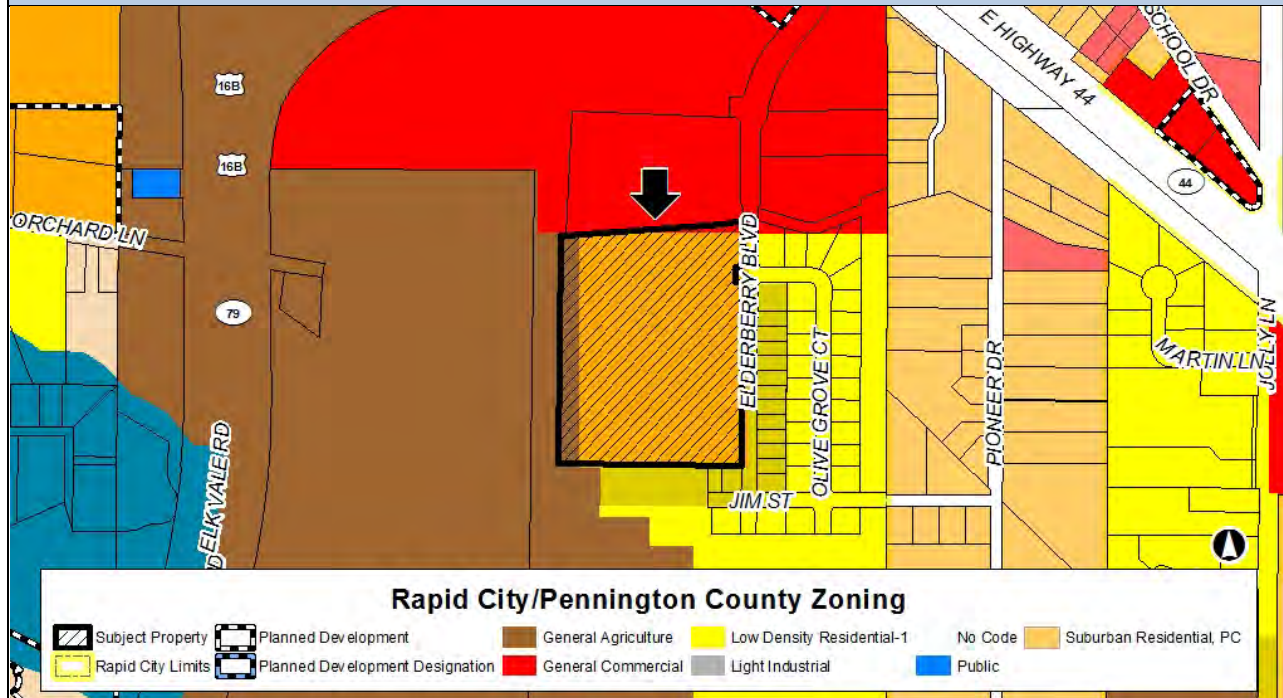
### February 23, 2017

Item #16	
<b>Applicant Request(s)</b>	
Case # 16PD046 – Initial Planned Development Overlay to allow an apartment complex	
Companion Case(s) N/A	
<b>Development Review Team Recommendation(s)</b>	
<b>The Development Review Team recommends approval with stipulations as noted below</b>	
<b>Project Summary Brief</b>	
<p><b>(Update February 13, 2017. All revised and/or added text is shown in bold.) This application has been continued several times at the applicant’s request to address design issues. The applicant is now requesting that the Initial Planned Development Overlay to allow an apartment complex be placed on the February 23, 2017 Planning Commission agenda for review.</b></p> <p>(Update February 13, 2017. All revised and/or added text is shown in bold.) The applicant has requested that the item be continued to the February 23, 2017 Planning Commission meeting to allow time to address design issues. (Update December 30, 2016. All revised and/or added text is shown in bold.) Staff is meeting with the applicant on January 4, 2017 to discuss design issues. If the issues are resolved staff will bring forward a recommendation and stipulations at the January 5, 2017 Planning Commission meeting. If the issues are not resolved then staff recommends that the Initial Planned Development Overlay be continued to the January 26, 2017 Planning Commission meeting. (Update November 30, 2016. All revised and/or added text is shown in bold.) The applicant has requested that the Initial Planned Development Overlay application be continued to the January 5, 2017 Planning Commission meeting. As such, staff recommends that the Initial Planned Development Overlay be continued to the January 5, 2017 Planning Commission meeting at the applicant’s request. (Update November 16, 2016. All revised and/or added text is shown in bold.) The applicant has requested that the Initial Planned Development Overlay application be continued to the December 8, 2016 Planning Commission meeting. As such, staff recommends that the Initial Planned Development Overlay be continued to the December 8, 2016 Planning Commission meeting. (Update November 3, 2016. All revised and/or added text is shown in bold.) The applicant met with staff on October 31, 2016 to review the proposed apartment complex. Subsequently, the applicant has requested that the Initial Planned Development Overlay be continued to the November 23, 2016 Planning Commission meeting. The applicant has submitted an Initial Planned Development Overlay to allow an apartment complex. The proposed apartment complex will be comprised of 13 apartment buildings and a leasing office/clubhouse. The applicant has requested that the Initial Planned Development Overlay application be continued to the November 23, 2016 Planning Commission meeting.</p>	
<b>Applicant Information</b>	<b>Development Review Team Contacts</b>
Applicant: Yasmeen Dream LLC	Planner: Fletcher Lacock
Property Owner: Yasmeen Dream LLC	Engineer: Ted Johnson
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc	School District: Janet Kaiser
Surveyor: N/A	Water/Sewer: Ted Johnson
Other: N/A	DOT: Stacy Bartlett
<b>Subject Property Information</b>	
Address/Location	Approximately 1,150 feet southwest of the intersection of U.S. Highway 44 and Elderberry Boulevard
Neighborhood	Southeast Connector
Subdivision	Proposed Orchard Meadows
Land Area	Approximately 11.39 acres
Existing Buildings	N/A
Topography	Relatively flat
Access	Elderberry Boulevard
Water / Sewer	Rapid Valley Sanitary District
Electric/Gas Provider	West River Electric
Floodplain	Federally designated 100-year and 500-year floodplain

### Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	MDR	UN and EC	Void of structural development
Adjacent North	GC	MUC, EC, and UN	Void of structural development
Adjacent South	LDR-II	LDN	Void of structural development
Adjacent East	LDR-I and LDR-II	UN and LDN	Townhome lots
Adjacent West	GA	EC	Void of structural development

### Zoning Map

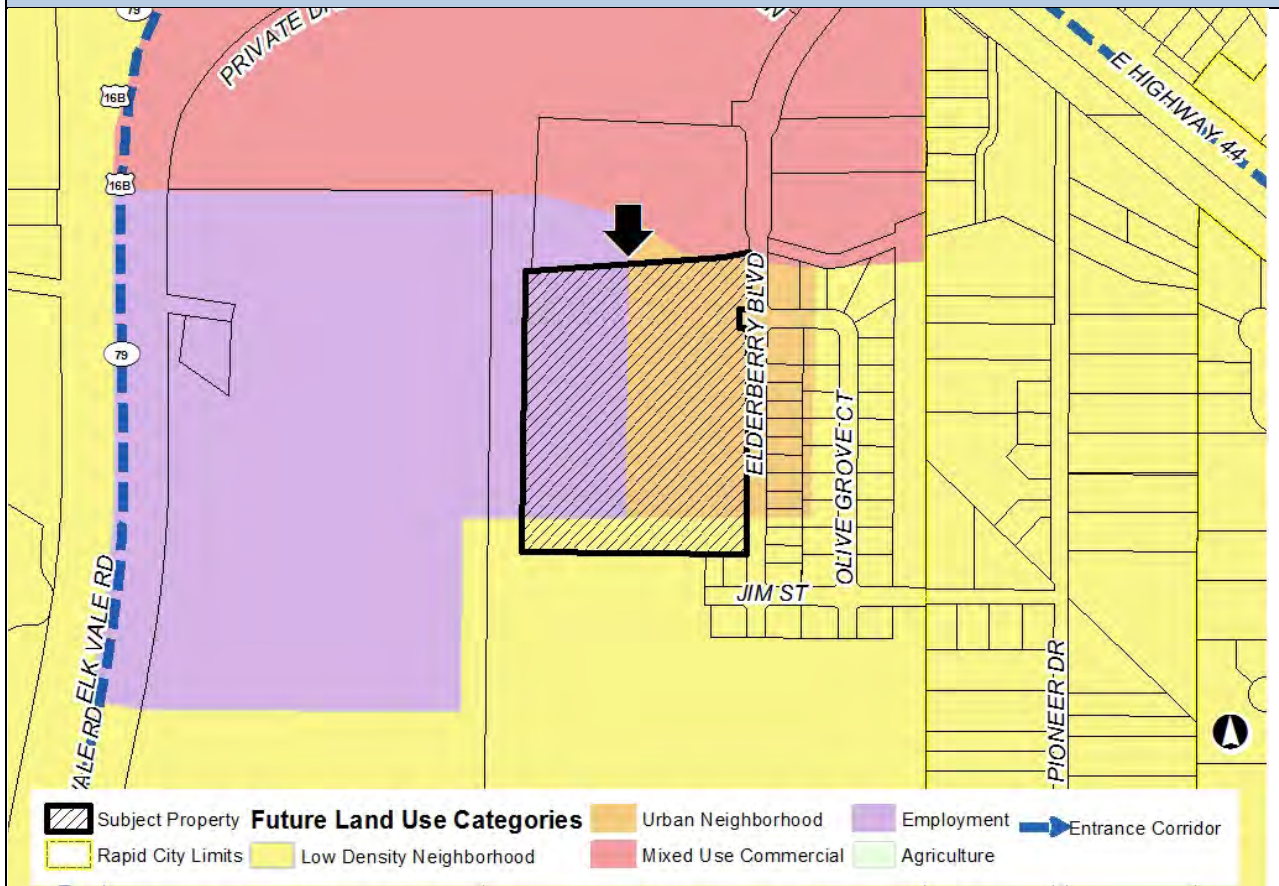


### Existing Land Uses

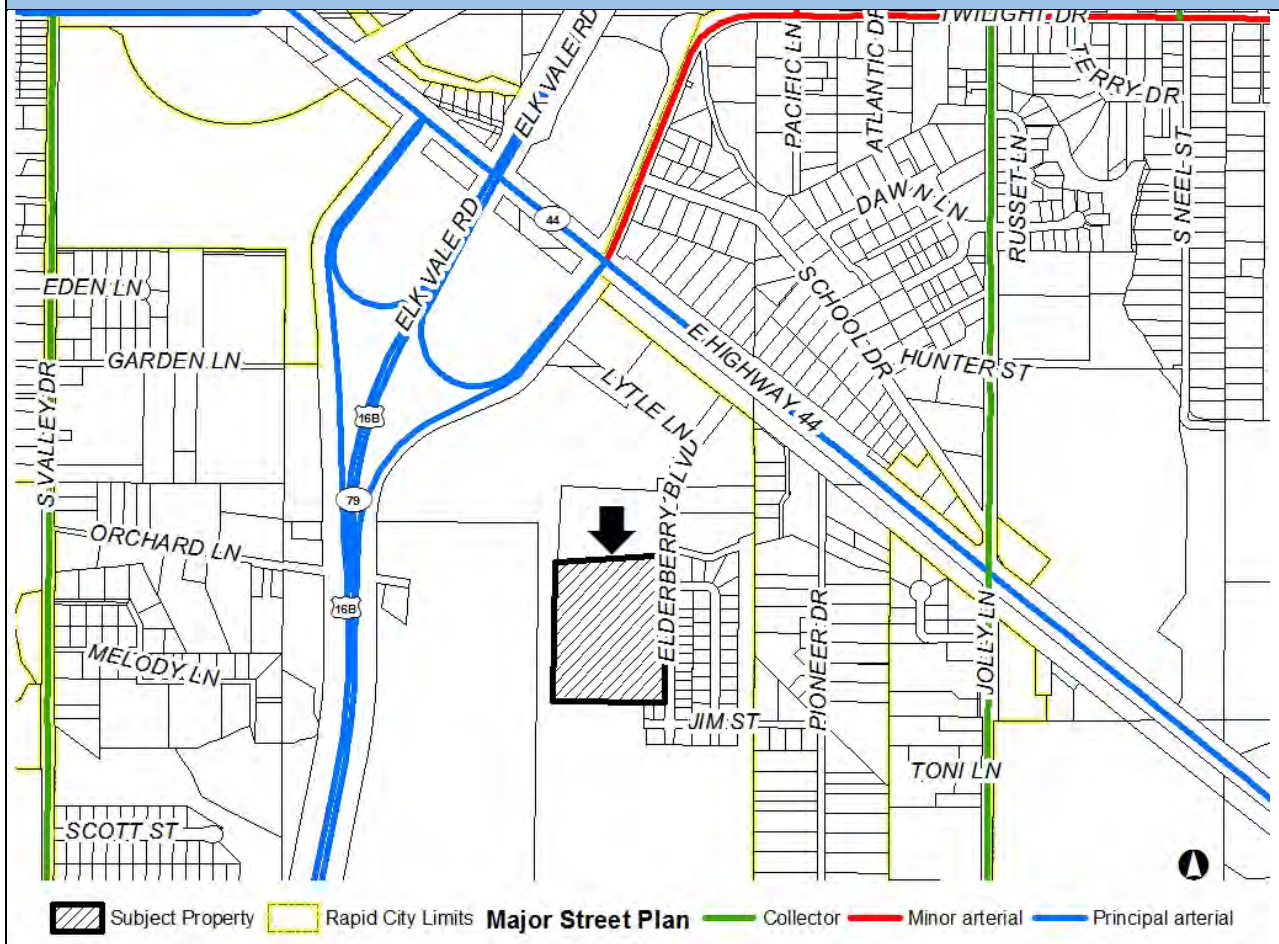




## Comprehensive Plan Future Land Use



## Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
16PL123	12/01/2016	Final Plat	Staff approved
Relevant Zoning District Regulations			
Medium Density Residential District	Required	Proposed	
Lot Area	263,000 square feet	485,258 square feet	
Lot Width	100 feet	Approximately 820 feet	
Maximum Building Heights	3 stories or 35 feet	Requesting an Exception to allow 3 stories and 40 feet	
Maximum Density	30%	Approximately 26%	
Minimum Building Setback:			
• Front	25 feet	25 feet	
• Rear	25 feet	Requesting an Exception to reduce the minimum required rear yard setback from 25 feet to 15 feet	
• Side	12 feet	25 feet to the south and 18 feet to the north	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	354,868	Not required with an Initial Planned Development Overlay	
• # of landscape islands	7	7	
Minimum Parking Requirements:			
• # of parking spaces	258	326	
• # of ADA spaces	7	10	
Signage	As per Chapter 17.50.080(S)3.a	No signage shown	
Fencing	6 feet	No fencing shown	

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 an Final 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 11.39 acres of land zoned Medium Density Residential District. The applicant is proposing to construct an apartment complex with 13 apartment buildings and a leasing office/clubhouse for a total of 172 dwelling units. A Final Planned Development Overlay must be approved 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:	Multi-family dwellings are a permitted use in the Medium Density Residential District. However, only one primary structure is permitted on a parcel of land. A Final Planned Development Overlay is required to allow the proposed 13 apartment buildings.
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 requesting two Exceptions. The first Exception request is to allow a height of three stories and 40 feet in lieu of the maximum allowed height of three stories and 35 feet. The proposed structures will not exceed the maximum allowed three stories and the proposed height of 40 feet is for architectural and aesthetic details. Staff recommends that the Exception to allow a height of three stories and 40 feet be

	<p>granted.</p> <p>The applicant is also requesting an Exception to reduce the minimum required rear yard setback along the proposed west property line from 25 feet to 15 feet. The subject property will abut the proposed Unnamed Tributary Element 8 drainage channel. The proposed drainage channel will realign and confine existing Federal Emergency Management Agency (FEMA) identified floodway to the limits of the channel. A maintenance access road will be located adjacent to the channel and the proposed apartment complex. Staff cannot support reducing the minimum required rear yard setback as the setback provides a buffer between the apartment complex and the proposed drainage channel and utility maintenance road. Public Works staff has stated that the setback is needed to ensure adequate separation between the apartment complex and the floodplain. As such, upon submittal of a Final Planned Development Overlay application, the site plan must be revised to show a minimum 25 foot rear yard setback.</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 Medium Density Residential District. Multiple-family dwellings are identified as a permitted use in the district. The applicant is proposing to construct an apartment complex consisting of 13 apartment buildings and a leasing office/clubhouse. A Final Planned Development Overlay is required to allow more than one principal building.</p>
<p>5. Any adverse impacts will be reasonably mitigated:</p>	<p>The property is located in the Rapid Valley Sanitary District (RVSD). The proposed apartment complex will consist of 13 apartment buildings with a total of 172 units. The Rapid Valley Sanitary District has indicated that the existing sewer capacity will not be able to accommodate the increase in flows from the proposed apartment complex and that an agreement with the applicant allowed a total of 140 dwelling units before additional sewer capacity needed to be provided. There are currently 80 single-family and townhome dwelling lots in the Orchard Meadows development area. To provide adequate sewer capacity, additional improvements to the RVSD sewer system will need to be secured. As such, upon submittal of a Final Planned Development Overlay application, the applicant must demonstrate that adequate sewer capacity will be provided or revise the application. In addition, the applicant must coordinate with Rapid Valley Sanitary District for the timing and installation of sanitary sewer and water improvements as required to serve this development and future site development. Prior to issuance of a Building Permit for the apartment buildings that exceed the 140 dwelling unit limit, the applicant must provide approved construction plans for the additional sewer capacity. Prior to issuance of a Certificate of Occupancy, the sewer improvements must be constructed.</p> <p>The Orchards Meadows Traffic Impact Analysis, 2<sup>nd</sup></p>





	<p>Edition, dated September, 2013, includes an apartment complex consisting of 100 units. The proposed 172 unit apartment complex will increase the overall trips for the entire development by less than 4%. As such, Transportation Planning staff has indicated that no revisions to the Traffic Impact Study are required.</p> <p>The applicant should be aware that an Air Quality Construction Permit must be obtained prior to any surface disturbance of one acre or more. In addition, the Rapid City Fire Department has indicated that the structures must be fire sprinkler protected. The applicant is proposing to fire sprinkler protect the structures. A Floodplain Development Permit will be required prior to issuance of a Building Permit.</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:	As noted above, the height Exception request is to provide architectural features on the proposed buildings. The applicant is not proposing to exceed the three story height. In addition, though the adjacent property to the west will not be developed with structures, the minimum required 25 foot rear yard setback provides a buffer from the drainage channel and maintenance access road. The minimum required 25 foot setback will ensure that separation is provided from the floodplain and maintenance.

**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**

	<b>A Balanced Pattern of Growth</b>
<b>BPG-2.1A</b>	<b>Service Provider Coordination:</b> As noted above, the property is served by Rapid Valley Sanitary District (RVSD). The applicant must coordinate with the RVSD for the timing and installation of sanitary sewer and water improvements to serve this apartment complex and future site development.
<b>BPG-3.1A</b>	<b>Balanced Uses:</b> The proposed apartment complex supports the goal of providing a balance of residential and commercial development throughout the community.
<b>BPG-3.2A</b>	<b>Mix of Housing Types:</b> The master plan for Orchard Meadows identifies a mix of commercial and residential development. The proposed residential development is comprised of lower density single-family and townhome development and higher density apartments. The proposed apartment complex supports the goal of providing a mix of housing types.
	<b>A Vibrant, Livable Community</b>
<b>LC-2.1C</b>	<b>Variety of Housing Types:</b> As noted above, the master plan shows a mix of single-family dwellings, townhomes, and apartments which provides a diversity of housing options.
<b>LC-3.1E</b>	<b>Buffers and Transitions:</b> The proposed apartment complex serves as a buffer between commercial development located to the north along U.S. Highway 44 and lower density development in the remainder of the Orchard Meadows development.
<b>LC-3.2C</b>	<b>Pedestrian and Bicycle Linkages:</b> Transportation Planning has indicated

	that the Bicycle and Pedestrian Master Plan identifies a proposed shared use path which is being identified on the Orchard Meadows master plan.
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
SHIS-3.1A	<b>Pedestrian and Bicycle Networks:</b> As noted above, the Bicycle and Pedestrian Master Plan identifies a shared use path which is shown on the submitted Orchard Meadows master plan. In addition, the site plan identifies paths and linkages throughout the proposed development.
	<b>Efficient Transportation and Infrastructure Systems</b>
T1-2.1D	<b>Coordinated Land Use and Transportation Planning:</b> The Orchard Meadows Traffic Impact Analysis, 2 <sup>nd</sup> Edition, dated September, 2013, identifies a total of 100 apartment units in the development. The proposed 172 unit apartment complex will increase the total number of trips by less than 4% for the Orchard Meadows development and will not require any revisions to the Traffic Impact Study.
	<b>Economic Stability and Growth</b>
EC-1.2A	<b>Housing Stock:</b> As noted above, the proposed apartment complex will increase the diversity in housing options for the area. Existing residential development consists of single-family and townhome development.
	<b>Outstanding Recreational and Cultural Opportunities</b>
RC-1.2C	<b>Neighborhood Design:</b> The site plan identifies a network of paths and open spaces within the proposed apartment complex that will integrate with surrounding open spaces. The Rapid City Parks and Recreation Department has indicated that private trails and open space including maintenance of landscaped medians to apartment complexes must be maintained by the property owner.
	<b>Responsive, Accessible, and Effective Governance</b>
GOV-2.1A	<b>Public Input Opportunities:</b> The proposed Initial Planned Development Overlay requires that public notice be advertized in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Major Amendment to a Planned Development is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
<b>Future Land Use Plan Designation(s):</b>	Urban Neighborhood and Employment Center
<b>Design Standards:</b>	
SDP-N1	<b>Mix of Housing Types:</b> The proposed apartment complex will diversify the available housing stock in the area. The existing development consists of single-family dwellings and townhomes.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	Southeast Connector
<b>Neighborhood Goal/Policy:</b>	
SEC-NA1.1G	<b>Residential Growth:</b> The proposed apartment complex supports the goal of residential growth west of Reservoir Road.

### **Findings**

Staff has reviewed the Initial 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 proposed apartment complex supports the diversification and growth of residential development in the area. The Exception to allow a height of 40 feet supports the creation of aesthetically pleasing residential development. However, the requested reduction in rear yard setback would reduce a physical separation between the residential development and the adjacent drainage channel, floodplain, and maintenance area. Upon submittal of a Final Planned Development Overlay the applicant must show a 25 foot rear yard setback from the property line and must demonstrate that adequate sewer capacity is available for the increase in dwelling units for the development.

### **Planning Commission Recommendation and Stipulations of Approval**

Staff recommends that the Initial Planned Development Overlay to allow an apartment complex **be approved with the following stipulations:**

1.	The Exception to reduce the minimum required rear yard setback from 25 feet to 15 feet in hereby denied;
2.	The Exception to allow a height of three stories and 40 feet in lieu of the maximum allowed height of three stories and 35 feet is hereby granted;
3.	Prior to issuance of a Building Permit, a Final Planned Development Overlay shall be submitted for review and approval;
4.	Upon submittal of a Final Planned Development Overlay application, the applicant shall demonstrate that adequate sewer capacity will be provided;
5.	Upon submittal of a Final Planned Development Overlay application, a Landscape Plan in compliance with Chapter 17.50.300 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 compliance with the Sign Code shall be submitted for review and approval. No electronic signs are being approved as a part of this Initial Planned Development Overlay. All signage not in conformance with the Sign Code or any electronic reader board signs shall require the review and approval of a Final Planned Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for all signs;
7.	Prior to issuance of a Building Permit, the applicant shall coordinate with the Rapid Valley Sanitary District for the timing and installation of sanitary sewer and water improvements as required to serve this development and future site development;
8.	Prior to issuance of a Building Permit for the approximate 112 units that exceed the current 140 dwelling unit sewer capacity, the applicant shall have approved construction plans for the additional sewer and water improvements;
9.	Prior to issuance of a Certificate of Occupancy, the additional sanitary sewer improvements required to serve this portion of the entire development shall be completed; and,
10.	This Initial Planned Development Overlay shall allow for an apartment complex. Permitted uses within the Medium Density Residential 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 Community Planning & Development Services

### 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)	
<b>Case # 16PD046</b>	Initial Planned Development Overlay to allow an apartment complex
<b>Companion Case(s) #</b>	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.	An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
5.	ADA accessibility shall be provided throughout the structure and site as necessary;
6.	All provisions of the underlying zoning districts shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development Overlay or a subsequent Final Planned Development Overlay;
7.	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,
8.	All applicable provisions of the adopted International Fire Code shall continually be met.