

STAFF REPORT  
October 9, 2014

---

**No. 14PD028 - Final Planned Development Overlay to allow an apartment building in the Medium Density Residential District**      **ITEM 4**

---

GENERAL INFORMATION:

APPLICANT	Joe Muth
PROPERTY OWNER	Doeck, LLC
REQUEST	<b>No. 14PD028 - Final Planned Development Overlay to allow an apartment building in the Medium Density Residential District</b>
EXISTING LEGAL DESCRIPTION	Lot 6 of Block 5 of Auburn Hills Subdivision, located in Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 31,363.2 square feet
LOCATION	4660 Coal Bank Drive
EXISTING ZONING	Medium Density Residential District (Planned Development Designation)
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Development)
South:	Medium Density Residential District (Planned Development)
East:	Medium Density Residential District (Planned Development)
West:	Medium Density Residential District (Planned Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	August 27, 2014
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Final Planned Development Overlay to allow an apartment building in the Medium Density Residential District be approved with the following stipulations:

1. A minimum of 18 parking spaces shall be provided. One of the parking spaces shall be handicap "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;

STAFF REPORT  
October 9, 2014

---

**No. 14PD028 - Final Planned Development Overlay to allow an apartment building in the Medium Density Residential District** **ITEM 4**

---

2. A minimum of 25,135 landscaping points shall be provided. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code, shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
3. A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
4. Upon submittal of a Building Permit, an Erosion and Sediment Control Plan shall be submitted for review and approval;
5. Upon submittal of a Building Permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as appropriate pursuant to SDCL 36-18A;
6. Prior to issuance of a Building Permit, the property owner shall sign an access easement to the water shutoff valve to allow City access;
7. Prior to issuance of a Building Permit, the applicant shall coordinate with the Rapid City Fire Department to determine the locations for the fire sprinkler protection system underground service. All applicable provisions of the adopted International Fire Code shall continually be met;
8. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
9. Any future proposed signage shall be in compliance with the Sign Code. No electronic signs are being approved as a part of this Final Planned Development. All signage not in conformance with the Sign Code or any electronic reader board signs shall require the review and approval of a Major Amendment. 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;
10. All outdoor lighting shall 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;
11. All provisions of the Medium Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment; and,
12. The Final Planned Development shall allow for a three-story 12 unit apartment building and a five stall garage for the property. Any uses permitted in the Medium Density Residential District in compliance with the minimum requirements of the Zoning Ordinance shall require a Building Permit. Any change in use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment.

**GENERAL COMMENTS:**

The applicant has submitted a Final Planned Development Overlay to allow an apartment complex to be constructed on the property. In particular, the applicant is proposing to construct a three-story apartment building with 12 apartment units and a five stall detached garage.

On October 20, 2003, the City Council approved a Rezoning (File #03RZ037) to change the land use designation from No Use District to Medium Density Residential District in conjunction with a Planned Development Designation (File #03PD051) approved by the Planning Commission on October 9, 2003.

STAFF REPORT  
October 9, 2014

---

**No. 14PD028 - Final Planned Development Overlay to allow an apartment building in the Medium Density Residential District** **ITEM 4**

---

The property is located approximately 260 feet south of the intersection of Auburn Drive and Coal Bank Drive. Currently, the property is void of structural development.

STAFF REVIEW:

Staff has reviewed the Initial Planned Development Overlay with respect to Chapter 17.50.050(F)5 and has noted the following considerations:

1. *There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:*

The proposed apartment building will be located on a lot approximately 31,145 square feet in size located south of the intersection of Auburn Drive and Coal Bank Drive. The proposed location of the apartment building is relatively flat.

2. *The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:*

The applicant is proposing to construct a three-story 12 unit apartment building and a five stall detached garage. The proposed apartment is a permitted use in the Medium Density Residential District. There is a Planned Development Designation on the property requiring that a Final Planned Development overlay be approved prior to issuance of a Building Permit. The applicant is not requesting any Exceptions.

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 proposing to construct a three-story, 12 unit apartment building and a five stall detached garage. The apartment building is a permitted use in the Medium Density Residential District. The applicant is not requesting any Exceptions.

4. *A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:*

The literal interpretation of the Zoning Ordinance would not deprive the applicant of rights that others in the same district are allowed.

5. *Any adverse impacts will be reasonably mitigated:*

The applicant has submitted a Drainage Plan that addresses site drainage and also provides stormwater quality treatment. The applicant should be aware that an Erosion and Sediment Control Plan must be submitted with a Building Permit. In addition, prior to issuance of a Building Permit, an access easement to the water shutoff valve must be recorded.

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*

STAFF REPORT  
October 9, 2014

---

**No. 14PD028 - Final Planned Development Overlay to allow an apartment building in the Medium Density Residential District** **ITEM 4**

---

*sought to be modified:*

The applicant is not requesting any Exceptions to the minimum land area regulations.

Fire Department: The proposed apartment building will be fire sprinkler protected. Prior to issuance of a Building Permit, the applicant must coordinate with the Rapid City Fire Department to determine the locations for the fire sprinkler protection system underground service. All applicable provisions of the adopted International Fire Code must continually be met.

Parking: The proposed apartment buildings require that a minimum of 18 parking spaces be provided. In addition, one of the parking spaces must be handicap "van accessible". The applicant has submitted a parking plan that identifies 19 parking spaces with two parking spaces being handicap accessible and one being "van accessible". The parking plan is in compliance with Chapter 17.50.270 of the Rapid City Municipal Code. All provisions of the Off-Street Parking Ordinance must be continually met.

Landscaping: A minimum of 25,135 landscaping points must be provided on the property. The applicant has submitted a landscaping plan that shows a total of 25,552 proposed landscaping points. The proposed landscaping is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code. All landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Signage and Lighting: The applicant originally identified the location of a proposed ground sign located adjacent to Coal Bank Drive. However, the proposed sign was located in a Utility and Minor Drainage Easement. The applicant has since removed the proposed sign from the application. Any future proposed signage must be in compliance with the Sign Code.

The applicant has also submitted a site plan identifying the location of wall lighting on the proposed structures. All outdoor lighting must 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.

Notification: The mailings and sign have been picked up. In addition, the mailings have been returned to Community Planning and Development Services for posting. Staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the October 9, 2014 Planning Commission meeting if this requirement has been met.

STAFF REPORT  
October 9, 2014

---

**No. 14PD028 - Final Planned Development Overlay to allow an apartment building in the Medium Density Residential District**      **ITEM 4**

---