



# Rapid City Planning Commission

## Final Planned Development Overlay Project Report

July 23, 2015

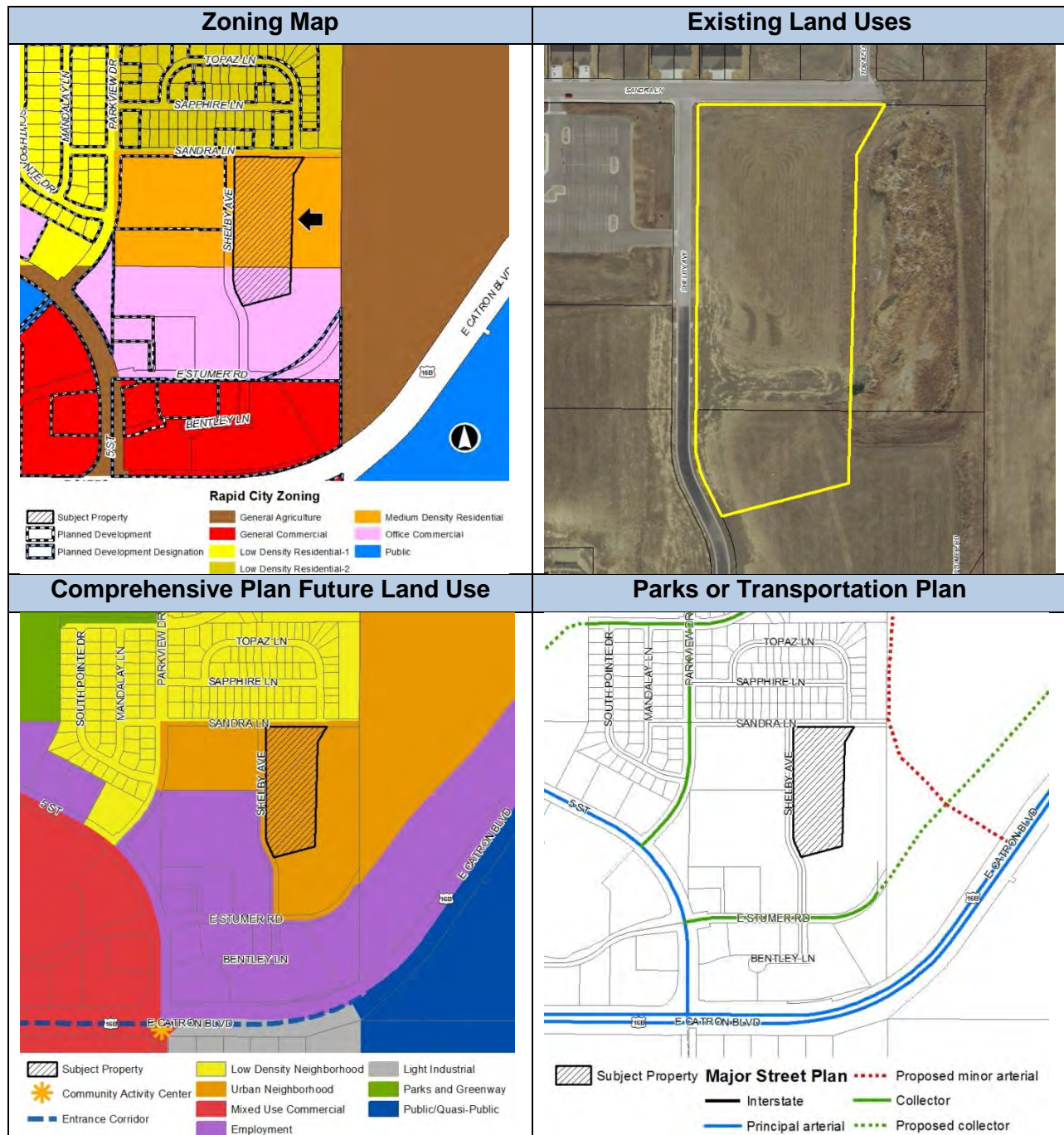
Applicant Request(s)
Case # 15PD018 – Initial and Final Planned Development Overlay to allow an apartment complex
Companion Case(s)

Development Review Team Recommendation(s)
<b>The Development Review Team recommends that the Initial and Final Planned Development be approved with the stipulations noted below.</b>

Project Summary Brief	
The applicant has submitted an Initial and Final Planned Development Overlay to construct an apartment complex consisting of five apartment buildings. In particular, the applicant is proposing to construct five three-story apartment structures with a total of 123 apartment units. The central apartment building will have 41 parking spaces located on the ground floor. In addition, there will be 49 parking spaces provided in six detached garages. The applicant is requesting an Exception to allow a height of 36.5 feet in lieu of the maximum allowed height of 35 feet.	
Applicant Information	Development Review Team Contacts
Applicant: Dave Higgins – Roers Investments, LLC	Planner: Fletcher Lacock
Property Owner: Lazy P-6 Land Company Inc.	Engineer: Ted Johnson
Architect: Cole Group Architects LLC	Fire District: Tim Behlings
Engineer: Fisk Land Surveying	School District: Janet Kaiser
Surveyor: Fisk Land Surveying	Water/Sewer: Ted Johnson
Other: NA	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Southeast of the intersection of Shelby Avenue and Sandra Lane
Neighborhood	South Robbinsdale
Subdivision	Section 19, T1N, R8E
Land Area	6 acres (261,543 square feet)
Existing Buildings	No structures
Topography	Rise in elevation of approximately 10 feet from east to west
Access	Shelby Avenue
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	NA
Other	NA

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	MDR and OC	UN	Void of structural development
Adjacent North	LDR-II –Final PD	LDN	Townhome development
Adjacent South	OC	UN	Void of structural development
Adjacent East	MDR and OC	UN	Void of structural development – Designated a conservancy area
Adjacent West	MDR / MDR-Final PD / OC	UN and EC	Church





Relevant Case History			
Case/File#	Date	Request	Action
NA			
Relevant Zoning District Regulations			
Office Commercial District and Medium Density Residential District	Required	Proposed	
Lot Area	189,500 square feet	261,543 square feet	
Lot Frontage / Width	100 feet	1,250 feet	
Maximum Building Heights	3 stories or 35 feet	Requesting and Exception to allow 3 stories and 36.5 feet	
Maximum Density	30%	27%	
Minimum Building Setback:			
• Front	25 feet from Sandra Lane	26 feet	
• Rear	5 feet for accessory structures	8 feet	
• Side	12 feet	18 feet	
• Street Side	25 feet from Shelby Avenue	28 feet	
Minimum Landscape Requirements:			
• # of landscape points	192,549	203,800	
• # of landscape islands	5	9	
Minimum Parking Requirements:			
• # of parking spaces	185	213	
• # of ADA spaces	6	7	
Signage	32 square feet allowed per frontage	21 square foot monument sign located on Shelby Avenue	
Fencing	None Required	None proposed	


Planning Commission Criteria and Findings for Approval or Denial	
<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 Final Planned Development Overlay:</b>	
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 approximately 6.06 acres in size. The property slopes gradually downward 10 feet from west to east. The north side of the property is zoned Medium Density Residential District and the south side is zoned Office Commercial District. The applicant has indicated that the property will be platted in the future.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The property is zoned Medium Density Residential District and Office Commercial District. Multi-family dwellings are identified as a permitted use in both districts. However, only one primary structure is permitted per lot and the applicant is proposing to construct five apartment buildings on one lot. Multiple primary structures requires a Final 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	The applicant is requesting an Exception to allow a height of three stories and 36.5 feet in lieu of the maximum allowed height of three stories or 35 feet. The applicant is proposing a three story structure which is allowed in the district. The additional 1.5 feet in height is a design feature

regulations:	based on the roof pitch. The proposed structures meet the minimum required front yard setbacks and are additionally separated from adjacent properties to the north and west by Sandra Lane and Shelby Avenue. In addition, land located to the east is designated a conservation area and should not be developed in the future. For these reasons, staff recommends that the height Exception be granted.
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 is proposing to construct five, three-story apartment buildings. The applicant is requesting an Exception to allow a height of 36.5 feet in lieu of the maximum allowed height of 35 feet. The requested height is a less than 20% increase in height. Shelby Avenue and Sandra Lane provide a separation between the proposed apartment complex and adjacent uses. It appears that the requested height will have a minimal negative impact on adjacent properties.
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 property is zoned Medium Density Residential District and Office Commercial District which allows multi-family housing as a permitted use. The applicant is proposing to construct an apartment complex with five primary structures which requires the approval of a Final Planned Development Overlay. The applicant is also requesting an Exception to allow a height of 36.5 feet in lieu of the maximum allowed height of 35 feet for the five apartment structures. For the above stated reasons, staff supports the Exception request.

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>
BPG-3.2A	<b>Mix of Housing Types:</b> The proposed apartment complex enhances the variety of housing options available on the south side of the City. Housing to the north and northwest is composed of single-family dwellings and townhomes.
	<b>A Vibrant, Livable Community</b>
LC-2.1A	<b>Targeted Residential Growth Areas:</b> The property is located on the southeast corner of the intersection of Sandra Lane and Shelby Avenue. The property is zoned a combination of Medium Density Residential District and Office Commercial District which allows for the construction of multi-family dwellings. In addition, Sandra Lane and Shelby Avenue are constructed to City street design standards and have sewer and water mains located in the right-of-way.
LC-3.1E	<b>Buffers and Transitions:</b> The proposed apartment complex serves as a buffer between the townhome and single-family development to the north and



	commercial properties located to the south adjacent to East Stumer Road. In addition, Sandra Lane and Shelby Avenue serve as separation between the proposed apartment complex and the lower density development to the north.
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
SHIS-3.1A	<b>Pedestrian and Bicycle Networks:</b> There is existing sidewalk located constructed along Sandra Lane. The applicant is also proposing to construct property line sidewalk along Shelby Avenue.
	<b>Efficient Transportation and Infrastructure Systems</b>
TI-2.1D	<b>Coordinated Land Use and Transportation Planning:</b> The applicant is proposing to take access from Shelby Avenue. In addition, there is an existing property line sidewalk located along Sandra Lane and the applicant is proposing to construct property line sidewalk along Shelby Avenue.
	<b>Economic Stability and Growth</b>
EC-.1.2A	<b>Housing Stock:</b> The proposed apartment complex provides housing variety in an area adjacent to 5 <sup>th</sup> Street, Stumer Road, and Catron Boulevard which are major transportation corridors and employment corridors in the City.
	<b>Outstanding Recreational and Cultural Opportunities</b>
	NA
	<b>Responsive, Accessible, and Effective Governance</b>
GOV-2.1A	<b>Public Input Opportunities:</b> The proposed Initial and Final 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 Final Planned Development Overlay application 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>	Urban Neighborhood
<b>Design Standards:</b>	
SDP-N1	<b>Mix of Housing Types:</b> The proposed apartment complex enhances the variety of housing types available on the south side of the City. Urban Neighborhood identifies higher density residential as a primary use.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
<b>Neighborhood:</b>	South Robbinsdale
<b>Neighborhood Goal/Policy:</b>	
SR-NA1.1A	<b>Residential Growth:</b> The proposed apartment complex supports the expansion of new residential in the South Robbinsdale Neighborhood Area.

### **Findings**

Staff has reviewed the Initial and Final Planned Development Overlay to construct 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 provides additional housing variety adjacent to transportation and commercial corridors. In addition, the proposed infill development will use existing infrastructure and provide higher density residential development which is supported by the future land use designation of Urban Neighborhood and the neighborhood area policies of the South Robbinsdale Neighborhood Area.

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

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

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|----|---|
| 1. | An Exception is hereby granted to allow a height of three stories and 36.5 feet in lieu of the maximum allowed height of three stories or 35 feet; and,   |
| 2. | The Initial and Final Planned Development Overlay shall allow for an apartment complex consisting of five apartment buildings. Any permitted use in the underlying zoning districts in compliance with the parking regulations shall require a minimal amendment. Any change in use that is a Conditional Use in the underlying zoning districts shall require the review and approval of a Major Amendment to the Final Planned Development Overlay. |