



Rapid City Planning Commission

Major Amendment to a Planned Development Project

Report

March 10, 2016

Applicant Request(s)
Case # 16PD005 – Major Amendment to a Planned Development to allow a commercial structure with reduced setbacks
Companion Case(s) 16PL012 – Preliminary Subdivision Plan to create three lots; 16PD006 – Initial Planned Development Overlay to allow an office building

Development Review Team Recommendation(s)
The Development Review Team recommends approval with stipulations as noted below.

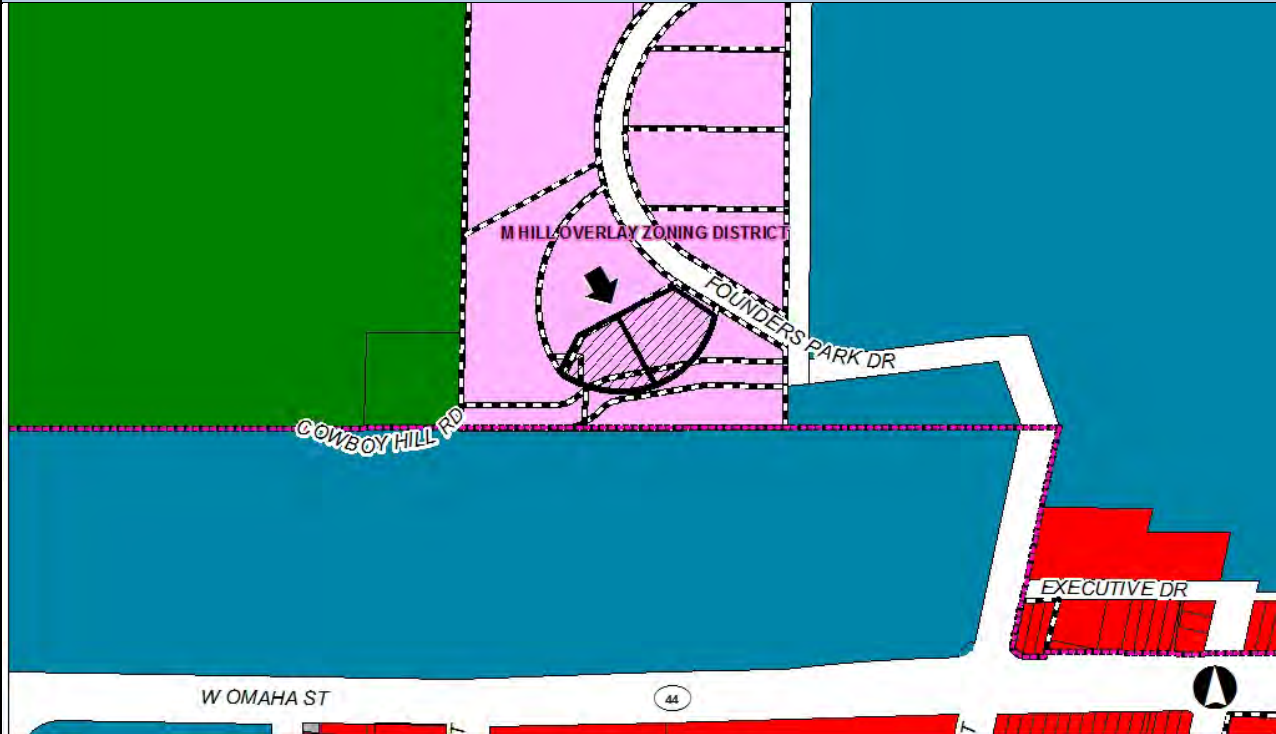
Project Summary Brief	
<p>The applicant has submitted a Major Amendment to a Planned Development to allow a commercial structure to be used as an office building with a reduced side yard setback of “0” feet in lieu of 12 feet for proposed Lots 5A and 5B. A previous Major Amendment to the Planned Development approved the construction of a 6,996 square foot office building. The applicant is proposing to subdivide the property into three lots including the subject property. The proposed property line will run through the existing structure requiring a reduction in setbacks.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Founders Park LLC	Planner: Fletcher Lacock
Property Owner: Founders Park LLC	Engineer: Nicole Lecy
Architect: N/A	Fire District: Tim Behlings
Engineer: Fisk Land Surveying & Consulting Engineers, Inc	School District: N/A
Surveyor: N/A	Water/Sewer: Nicole Lecy
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Approximately 880 feet northwest of the intersection of Founders Park Drive and West Omaha Street
Neighborhood	North Rapid
Subdivision	Proposed Founders Park Subdivision
Land Area	45,241 square feet
Existing Buildings	Commercial building under construction
Topography	Relatively flat
Access	Founders Park Drive
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	Federally designated 100-year floodplain

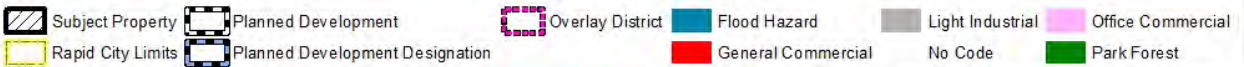
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	OC-PD	EC	Commercial building under construction
Adjacent North	OC-PD	EC	Void of structural development
Adjacent South	OC-PD	EC	One-story office building
Adjacent East	OC-PD	EC	One-story office building
Adjacent West	OC-PD	EC	Void of structural development

Zoning Map



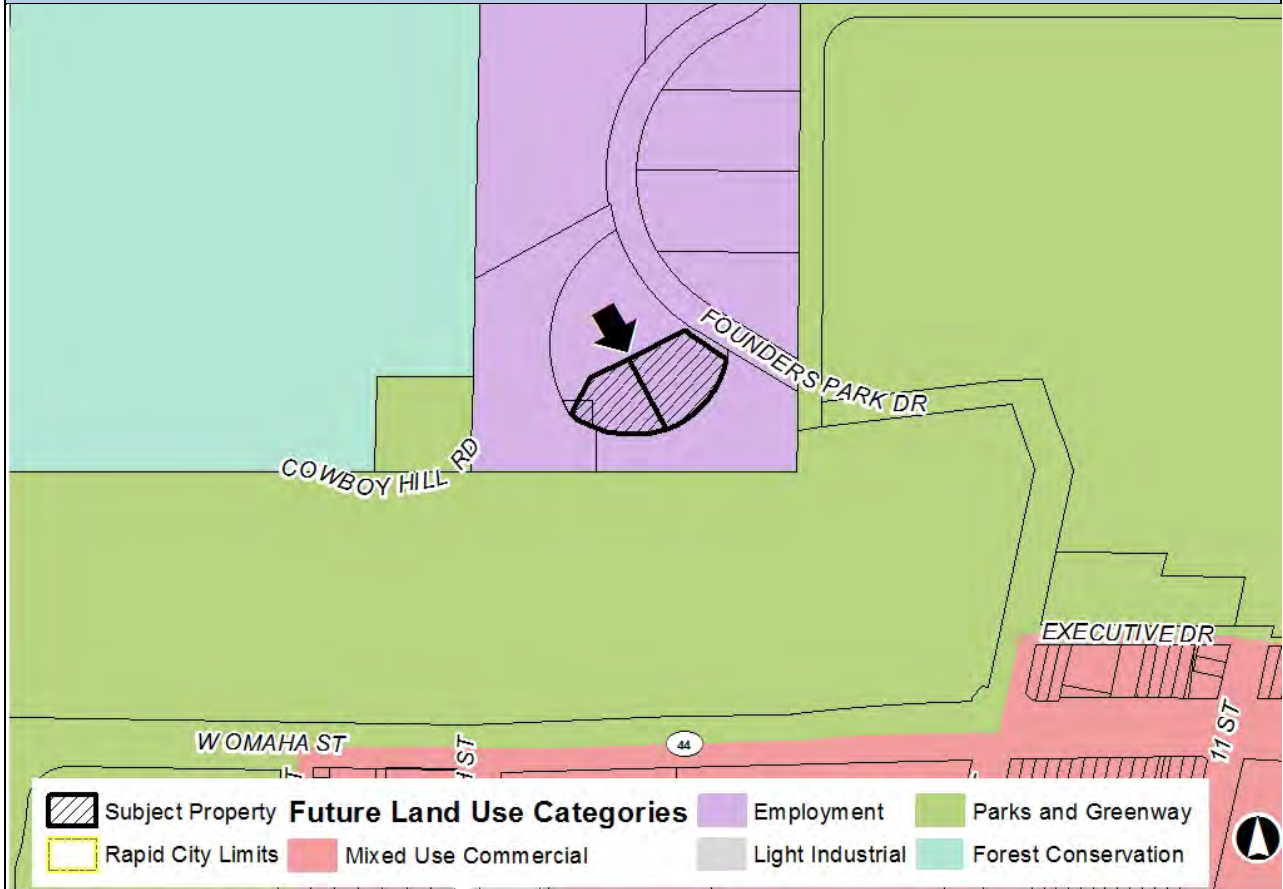
Rapid City Zoning



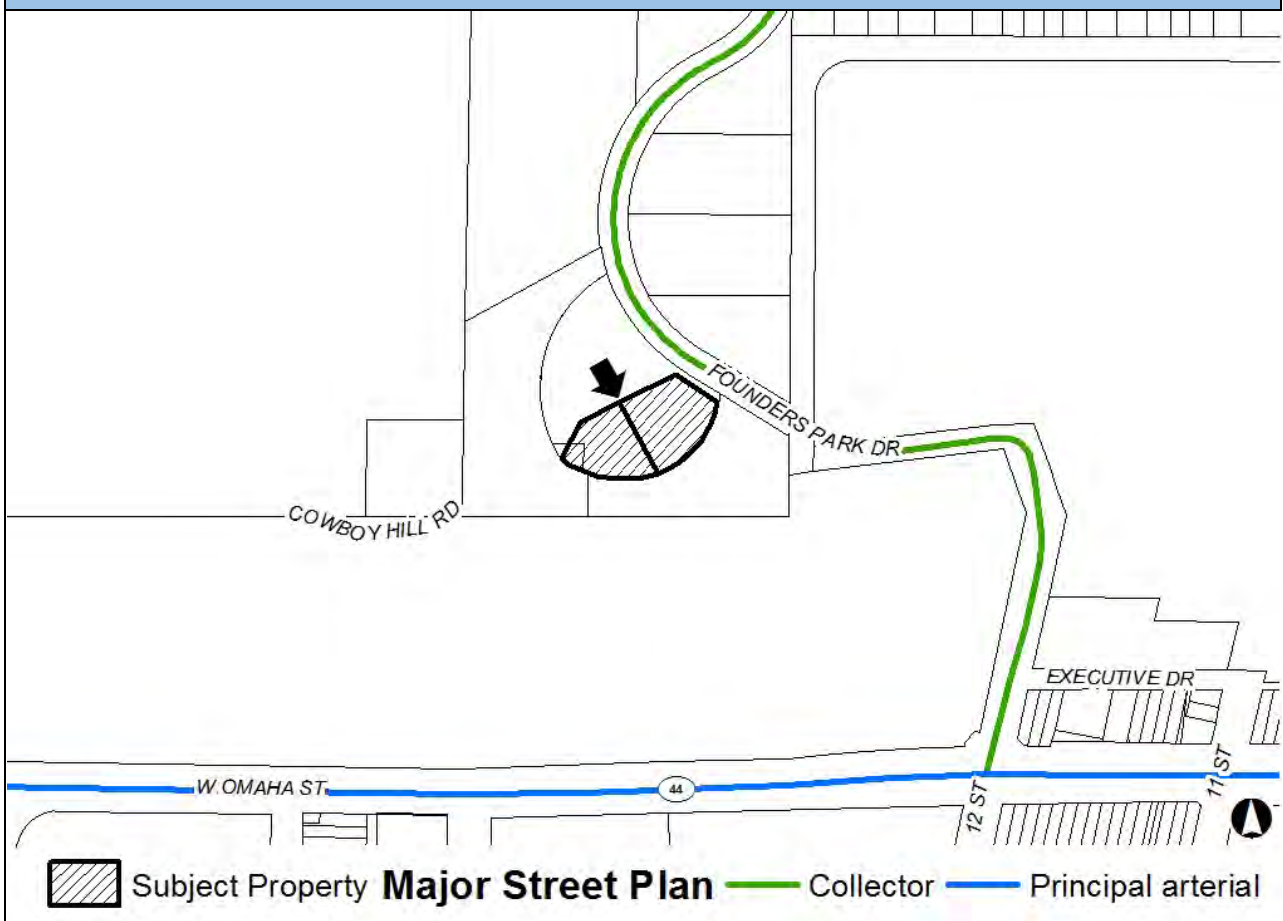
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan










Relevant Case History			
Case/File#	Date	Request	Action
10PD001	02/04/2010	Major Amendment to a Planned Development	Approved with stipulations
10PD001C	11/24/2015	Minimal Amendment to a Planned Development to reduce the minimum required front yard setback from 25 feet to 20.5 feet	Approved
15PD043	12/10/2015	Major Amendment to a Planned Development to allow an office complex	Approved with stipulations
Relevant Zoning District Regulations			
Office Commercial District	Required	Proposed	
Lot Area	N/A	19,209 square feet and 24,077 square feet	
Lot Width	N/A	Approximately 103 feet	
Maximum Building Heights	3 stories or 35 feet	One story	
Maximum Density	35%	13% and 18.6%	
Minimum Building Setback:			
• Front	25 feet	Minimal Amendment previously approved to allow 20.5 feet	
• Rear	8 feet or 12 feet	25 feet	
• Side	8 feet or 12 feet	Requesting an Exception to allow a "0" foot setback	
• Street Side	N/A	N/A	
Minimum Landscape Requirements:			
• # of landscape points	16,708 and 19,582	17,630 and 29,140	
• # of landscape islands	N/A	Parking is existing / One island	
Minimum Parking Requirements:			
• # of parking spaces	35	36	
• # of ADA spaces	2	2	
Signage	Two square feet for every linear square foot of frontage	No signage proposed	
Fencing	N/A	None proposed	

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 45,241 square feet of land zoned Office Commercial District with a Planned Development. A previous Major Amendment to the Planned Development allowed an office building approximately 7,000 square feet in size. The applicant is now proposing to subdivide the property with the proposed lot line running through the building. The proposed subdivision of the property requires a reduction in setback from the proposed property line from 12 feet to "0" feet.
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 subdivide the subject property A previously approved Major Amendment to the Planned Development allowed an office building. The applicant has also submitted a Preliminary Subdivision Plan to create three lots. Founders Park Drive is identified as a Collector Street on the City's Major Street Plan requiring a right-of-way width of 68 feet. The Founders Park Drive right-of-way is currently 59 feet wide. An additional 4.5 feet of right-of-

	way must be dedicated when the property is subdivided. On November 24, 2015 a Minimal Amendment to a Planned Development was approved to reduce the minimum required front yard setback for any proposed structures from 25 feet to 20.5 feet on the subject property as a result of dedicating the right-of-way.
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:	As noted above, the applicant is proposing to subdivide the property and is requesting an Exception to reduce the minimum required side yard setback from 12 feet to "0" feet. The proposed lot line will run through the structure. The applicant should be aware that separate public services must be provided to the individual lots.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	The property is zoned Office Commercial District with a Planned Development. An office building is a permitted use in the district.
5. Any adverse impacts will be reasonably mitigated:	A Building Permit, Floodplain Development Permit and an Air Quality Permit have been obtained. Through the Preliminary Subdivision Plan a shared maintenance easement and public utility service design will be addressed.
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 applicant is proposing to subdivide the property with a lot line running through the building which is currently under construction. The proposed subdivision of the property requires a reduction in setback from 12 feet to "0" feet. The applicant should be aware that a maintenance easement and public utility services must be addressed through the platting process.

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-1.2A	Priority Infill Areas: The office building is located adjacent to the downtown core in an area with existing public infrastructure and streets.
	A Vibrant, Livable Community
LC-1.1E	Context-Sensitive Design: The office building under construction will be similar in design to adjacent buildings.
LC-3.1C	Compatible Infill and Redevelopment: The office building under construction is located in an area with existing infrastructure including parking.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: Founders Park Drive is identified as a Collector Street on the City's Major Street Plan requiring a right-of-way width of 68 feet. Currently, the right-of-way width is 59 feet. The applicant is aware that future subdivision of the property will require that an additional 4.5 feet of right-of-way

	be dedicated for the roadway. A Minimal Amendment to the Planned Development was previously approved to reduce the minimum required front yard setback from Founders Park Drive when 4.5 feet of right-of-way is dedicated.
	Economic Stability and Growth
EC-3.1C	Other Employment Areas: The office building supports the development and growth of an existing employment center.
	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 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.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Employment Center
Design Standards:	
N/A	Office buildings compatible with existing development is promoted in this district. The 7,000 square foot office building is part of a phased office complex development.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	North Rapid
Neighborhood Goal/Policy:	
NR-NA1.1E	Parks and Greenways: The subject property is located north of the Founders Park greenway and is also located in the Federally designated 100-year floodplain. The applicant has obtained a Floodplain Development Permit for the office building.

Findings	
Staff has reviewed the Major Amendment to the Planned Development to allow a commercial structure to be used as an office building with reduced setbacks 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 office building is located in an area designated for Employment and is part of a phased office development with more phases planned in the future. The requested setback reduction is to allow the property to be subdivided with the proposed lot line running through the structure.	

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Major Amendment to a Planned Development to allow a commercial structure with reduced setbacks be approved with the following stipulations:	
1.	An Exception is hereby granted to reduce the minimum required side yard setback on proposed Lots 5A and 5B from 12 feet to “0” feet;
2.	All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Major Amendment to the Planned Development. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is

	required for any new signs; and,
3.	The Major Amendment to a Planned Development shall allow for an office building. Permitted uses within the Office Commercial 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.