



Rapid City Planning Commission

Rezoning Project Report

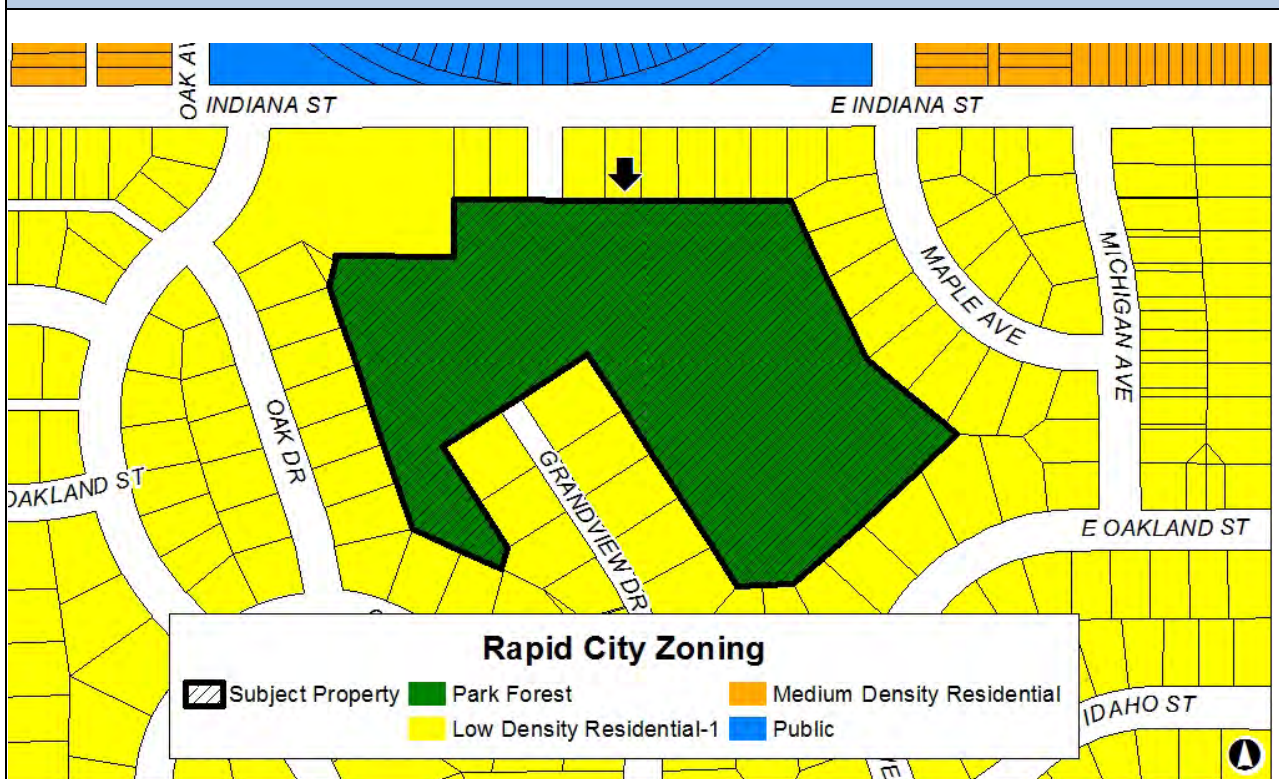
March 7, 2019

Item #10	
Applicant Request(s)	
Case #19RZ005 – Rezoning request from Park Forest District to Low Density Residential District	
Companion Case(s) #19CA001 – Comprehensive Plan Amendment from Forest Conservation to Low Density Neighborhood	
Development Review Team Recommendation(s)	
Staff recommends that the Rezoning request be denied.	
Project Summary Brief	
<p>The applicant has submitted a Rezoning request to change the zoning designation from Park Forest District to Low Density Residential District for a parcel of land approximately 9.85 acres in size. The applicant has also submitted a Comprehensive Plan Amendment to change the Future Land Use Plan designation for the property from Forest Conservation to Low Density Neighborhood. A similar request was submitted in 2017 and was denied by the City Council due to concerns regarding topography, drainage, soil stability, and proposed density of the future development. No information to address these concerns has been submitted for review and approval with this application.</p> <p>The property is located southwest of the intersection of Indiana Street and Maple Avenue. Currently, the property is void of structural development.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Maguire Services LLC	Planner: Fletcher Lacock
Property Owner: Maguire services LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett
Subject Property Information	
Address/Location	North on the intersection of Grandview Drive and Oakland Street
Neighborhood	Downtown / Skyline Drive Neighborhood Area
Subdivision	Section 12, T1N, R7E
Land Area	9.85 acres
Existing Buildings	Void of structural development
Topography	Steep topography dropping in elevation from south to north approximately 70 feet
Access	Grandview Drive and East Indiana Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities
Floodplain	N/A

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	PF	FC	No structural development
Adjacent North	LDR	LDN	Single-family dwellings / church
Adjacent South	LDR	LDN	Single-family dwellings
Adjacent East	LDR </td <td>LDN</td> <td>Single-family dwellings</td>	LDN	Single-family dwellings
Adjacent West	LDR	LDN	Single-family dwellings

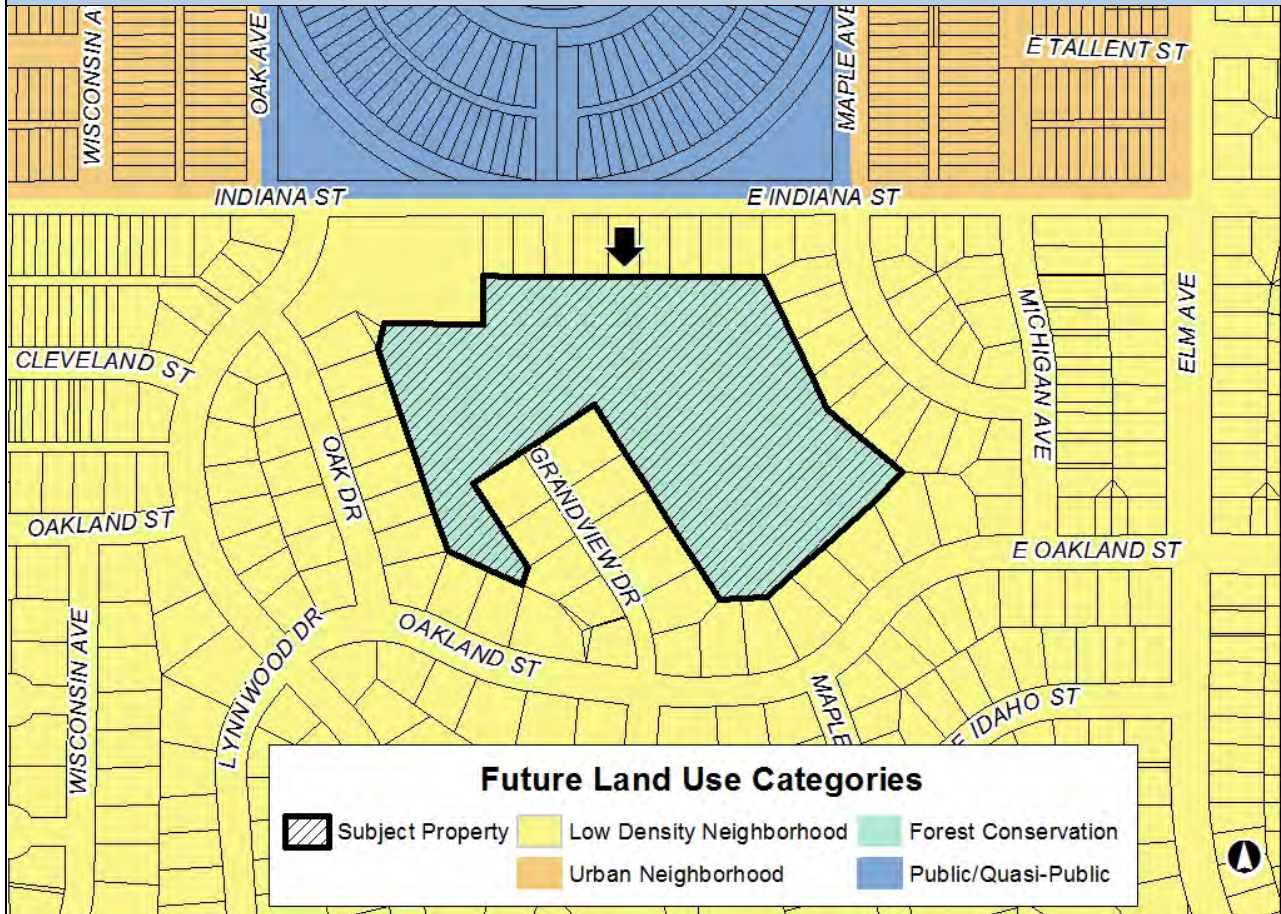
Zoning Map



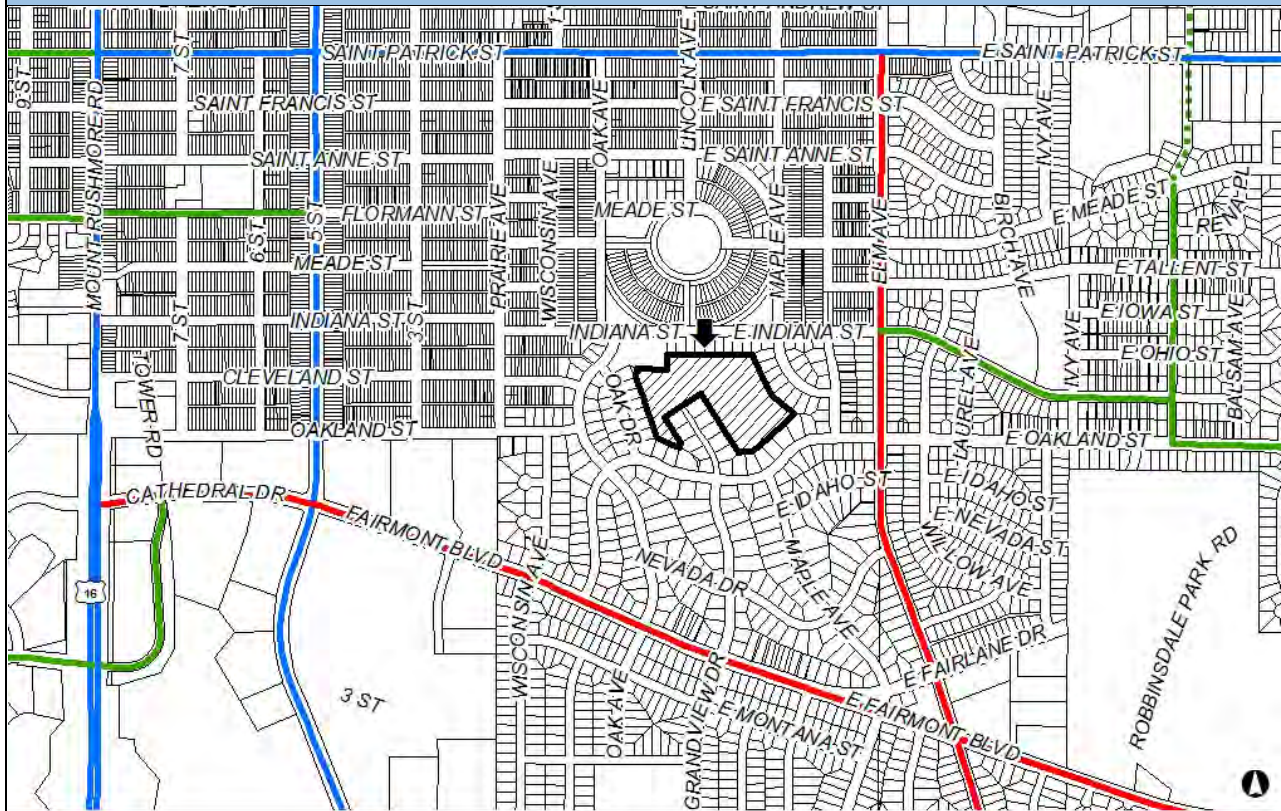
Existing Land Uses



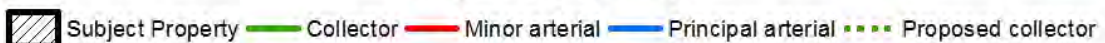
Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan










Relevant Case History			
Case/File#	Date	Request	Action
17RZ040	2/22/2018	Rezoning from Park Forest District to Low Density Residential District	Planning Commission and City Council acknowledged applicant withdrawal
17RZ025	10/16/2017	Rezoning from Park Forest District to Low Density Residential District	City Council denied
Relevant Zoning District Regulations			
Low Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	429,066 square feet	
Lot Frontage / Lot Width	50 feet	Approximately 60 feet	
Maximum Building Heights	2½ stories or 35 feet	N/A	
Maximum Density	30%	N/A	
Minimum Building Setback:			
• Front	20 feet	N/A	
• Rear	25 feet	N/A	
• Side	8 feet for one story structures / 12 feet for 2 story structures	N/A	
• Street Side	20 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	N/A	
• # of ADA spaces	N/A	N/A	
Signage	As per RCMC 17.50.080	N/A	
Fencing	As per RCMC 17.50.340	N/A	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.54.040.D of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to Rezone:	
Criteria	Findings
1. The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and districts affected, or in the city generally.	There are no changing conditions in the area. The property is currently void of any structural development.
2. The proposed amendments shall be consistent with the intent and purposes of this title.	The Future Land Use Plan designation of the property is Forest Conservation. The Forest Conservation District promotes large lot single-family residences as a secondary use. As noted above, the applicant previously submitted a Rezoning request which was denied by City Council. The City Council requested information regarding topography, drainage, soil stability, and proposed density of the future development. To date, this information has not been submitted.
3. The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse	The soil stability of the subject property was brought into question with the previous application for Rezoning. The applicant has not submitted any information demonstrating that a higher density of development will not negatively

effects result from the amendment.	impact adjacent properties.
4. The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan and others.	As noted above, the Future Land Use Plan designation of Forest Conservation supports large lot residential as a secondary use. The proposed Rezoning request is not consistent with the adopted Comprehensive Plan. As such, the applicant has also submitted a Comprehensive Plan Amendment to change the Future Land Use Plan designation of the property from Forest Conservation to Low Density Neighborhood.

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-1.1A	Compact Growth: The property is located within the City limits and is served by Rapid City water and sewer. However, it was previously identified that substantial infrastructure improvements including grading, site stabilization, storm water drainage, water quality, and erosion control will need to be addressed. The applicant has not submitted any new information with this application.
	A Vibrant, Livable Community
LC-3.1C	Compatible Infill and Redevelopment: The property is currently zoned Park Forest District which would allow the applicant to create three residential lots. The applicant has not demonstrated that there are changing conditions in the area or submitted a geo-technical report demonstrating that the property can be developed without impacting adjacent properties.
	A Safe, Healthy, Inclusive, and Skilled Community
SHIS-2.1A	Limited Development in Risky Areas: The property is comprised of shale which is prone to slides. Public Works staff has indicated that substantial infrastructure improvements including grading, site stabilization, storm water drainage, water quality, and erosion control will need to be addressed to support the increase in density.
	Efficient Transportation and Infrastructure Systems
	N/A
	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	The proposed Rezoning request 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 Rezoning is before the Planning Commission and will go before the City Council for review and approval. The public has an opportunity to provide input at these meetings.
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Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
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Future Land Use Plan Designation(s):	Forest Conservation
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Design Standards:	
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N/A	The Forest Conservation designation recommends larger lot residential development as a secondary use with a minimum three-acre lot size. The primary use recommended is open land for recreation and resource protection. The applicant has submitted a Comprehensive Plan Amendment to change the Future Land Use Plan designation to Low Density Neighborhood. However, no new information regarding topography, drainage, soil stability, and proposed density of the future development has been submitted with this application.
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Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
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Neighborhood:	Downtown / Skyline Drive Neighborhood Area
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Neighborhood Goal/Policy:	
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DSD-NA1.1A	Residential Neighborhoods: The adopted Comprehensive Plan supports infill development. However, the applicant has not submitted any information that supports the higher density requested. As noted above, the applicant could develop the property with three residential lots with the current zoning of Park Forest District.
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Findings	
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Staff has reviewed the Rezoning request criteria pursuant to Chapter 17.50.040(D) of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The Comprehensive Plan supports infill development in areas with existing infrastructure. There are no changing conditions in the area. On October 16, 2017, the City Council denied the same Rezoning request with concerns regarding topography, drainage, soil stability, and proposed density of the future development. The applicant has not submitted any information to address these concerns. Without this information, it is unclear if the additional density allowed in the Low Density Residential District will have a negative impact on the adjacent properties. The applicant could develop the property with three residential lots under the current zoning. Staff recommends that the Rezoning request be denied.

Planning Commission Recommendation and Stipulations of Approval	
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Staff recommends that the Rezoning request be denied.
