



# Rapid City Planning Commission

## Rezoning Project Report

April 21, 2016

| Item 4                       |  |
|------------------------------|--|
| Applicant Request(s)         |  |
| Case File #16RZ008           | A request to rezone property from Medium Density Residential District to General Commercial District |
| Companion Case File #16PD015 | Final Planned Development to allow a convenience store with gas sales                                |
| Companion Case #16VR002      | Vacation of Right-of-Way for a portion of an alley right-of-way                                      |

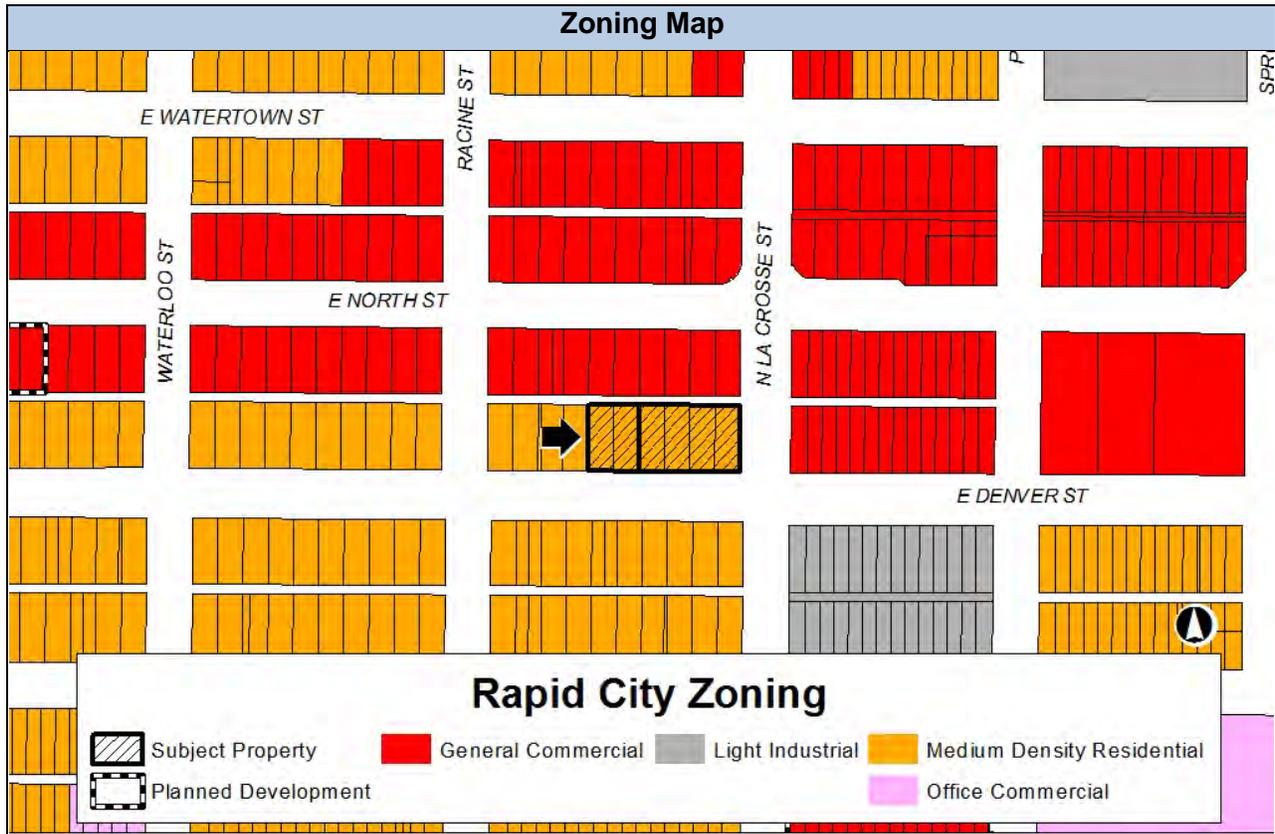
| Development Review Team Recommendation(s)  |
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| The Development Review Team recommends that the request to rezone property from Medium Density Residential District to General Commercial District be approved in conjunction with the associated Final Planned Development. |

| Project Summary Brief  |
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| <p>The applicant has submitted a request to rezone approximately 0.709 acres of property from Medium Density Residential District to General Commercial District. The applicant is proposing to redevelop the entire Colonial Inn site with a Mavericks convenience store with gas sales. During a preliminary review of the request, it was noted that this property is zoned Medium Density Residential District. A convenience store with gas sales is neither a permitted nor a conditional use in the Medium Density Residential District. As such, the applicant has submitted this request to rezone the property to General Commercial District. It should be noted that a hotel is not a permitted use in the Medium Density Residential District. The hotel use is considered legally non-conforming today and may remain on the property until such time as the use ceases for a period greater than one year or a Final Planned Development is approved to allow the property to be used as a convenience store.</p> <p>The applicant has also submitted an associated Final Planned Development (File #16PD015) for the convenience store and a Vacation of Right-of-Way (File #16VR002) for portions of the alley. The items are scheduled to be heard concurrently at the April 21, 2016 Planning Commission meeting.</p> |

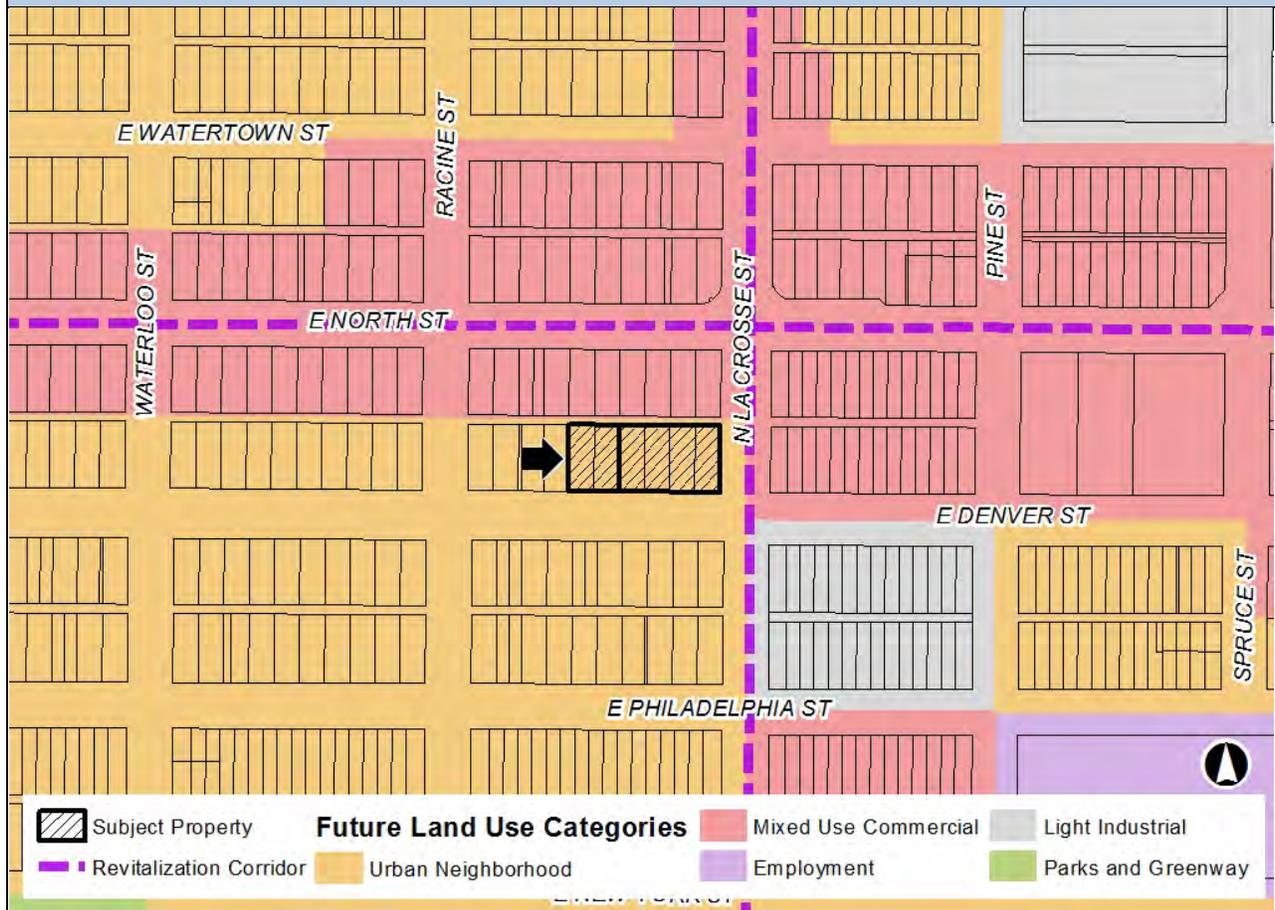
| Applicant Information                 | Development Review Team Contacts |
|---------------------------------------|----------------------------------|
| Applicant: Maverik, Inc. (Todd Myers) | Planner: Robert Laroco           |
| Property Owner: SBL, LLC              | Engineer: Nicole Lecy            |
| Architect: N/A                        | Fire District: Tim Behlings      |
| Engineer: Reeve & Associates, Inc.    | School District: Janet Kaiser    |
| Surveyor: N/A                         | Water/Sewer: Nicole Lecy         |
| Other:                                | DOT: Stacy Bartlett              |

| Subject Property Information |  |
|------------------------------|--|
| Address/Location             | Northwest of the intersection of Denver Street and La Crosse Street      |
| Neighborhood                 | North Rapid  |
| Subdivision                  | Schnasse Addition  |
| Land Area                    | 0.709 acres, approximately 30,884 sq ft                                  |
| Existing Buildings           | Existing hotel complex   |
| Topography                   | Typically level  |
| Access                       | Denver Street, La Crosse Street, existing alleyway north of the property |
| Water Provider               | Rapid City water   |
| Sewer Provider               | Rapid City sewer   |
| Electric/Gas Provider        | Black Hills Power/ Montana Dakota Utilities                              |
| Floodplain                   | None identified  |
| Other                        |  |

| Subject Property and Adjacent Property Designations |                 |                              |                                     |
|---|-----------------|------------------------------|-------------------------------------|
|   | Existing Zoning | Comprehensive Plan           | Existing Land Use(s)                |
| Subject Property                                    | MDR             | UN, Revitalization corridor  | Hotel                               |
| Adjacent North                                      | GC              | MUC, Revitalization corridor | Hotel                               |
| Adjacent South                                      | MDR             | UN, Revitalization corridor  | Single Family Residences            |
| Adjacent East                                       | GC              | MUC, Revitalization Corridor | Warehousing and distribution center |
| Adjacent West                                       | MDR             | UN                           | Single Family Residences            |



## Comprehensive Plan Future Land Use



## Parks or Transportation Plan



| Relevant Case History                |                     |  |        |
|--------------------------------------|---------------------|--|--------|
| Case/File#                           | Date                | Request                                  | Action |
| N/A                                  | N/A                 | N/A                                      | N/A    |
| Relevant Zoning District Regulations |                     |  |        |
| General Commercial District          | Required            | Proposed                                 |        |
| Lot Area                             | No minimum required | 0.709 acres, approximately 30,884 sq ft. |        |
| Lot Frontage                         | No minimum required | Approximately 400 ft                     |        |
| Maximum Building Heights             | 4 stories, 45 feet  | N/A                                      |        |
| Maximum Density                      | Structures < 75%    | N/A                                      |        |
| Minimum Building Setback:            |                     |  |        |
| • Front                              | 25 ft.              | N/A                                      |        |
| • Rear                               | 0 ft                | N/A                                      |        |
| • Side                               | 25 ft               | N/A                                      |        |
| • Street Side                        | 25 ft               | N/A                                      |        |
| Minimum Landscape Requirements:      |                     |  |        |
| • # of landscape points              | Per RCMC            | N/A                                      |        |
| • # of landscape islands             | Per RCMC            | N/A                                      |        |
| Minimum Parking Requirements:        |                     |  |        |
| • # of parking spaces                | Per RCMC            | N/A                                      |        |
| • # of ADA spaces                    | Per RCMC            | N/A                                      |        |
| Signage                              | Per RCMC            | N/A                                      |        |
| Fencing                              | Per RCMC            | 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. | The property is comprised of 0.709 acres of property zoned Medium Density Residential District. The property is proposed as a part of a proposed convenience store with gas sales that will be located southwest of the intersection of East North Street and La Crosse Street. The East North Street corridor is a fully developed commercial corridor with a variety of commercial uses. The subject property is currently developed with a hotel, which is a legal non-conforming use in the Medium Density Residential District. The proposed redevelopment of the site with a convenience store with gas sales represents changing conditions in the area. |
| 2. The proposed amendments shall be consistent with the intent and purposes of this title.  | The General Commercial District is intended to provide a commercial district for the personal and business services and the general retail business of the City. The property is currently developed with a hotel, a permitted use in the General Commercial District. The applicant has noted their intent to develop the property with a convenience store with gas sales, a permitted use in the General Commercial District. The proposed amendment is consistent with the intent and purpose of the Zoning Ordinance.  |
| 3. The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from the                   | Property to the south and west of the proposed rezone is zoned Medium Density Residential District. The General Commercial District is an increase in the expected intensity of uses from the Medium Density Residential District and the proposed use is adjacent to residential uses. The   |

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| amendment.   | development of the site as a convenience store with gas sales may have an adverse impact on existing residential development to the south and west. However, plans submitted with the associated Final Planned Development show that the proposed commercial structure will meet the minimum required setbacks and the applicant has submitted a landscaping plan which provides a landscaping buffer between the proposed structure and the East Denver Street right-of-way, as well as landscape screening and a proposed fence on western property lines adjacent to existing residential uses. The proposed landscaping and screening fence will ensure that potential negative impacts of the convenience store with gas sales will be mitigated to the greatest extent possible.   |
| 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. | <p>The Future Land Use Plan identifies the property as appropriate for Urban Neighborhood development. Commercial uses such as neighborhood-serving retail and services can be considered appropriate secondary uses in an urban neighborhood land use designation if the property in question is located in close proximity to commercial development, or to high-volume commercial and arterial corridors. East North Street and La Crosse Street are both identified as principal arterial streets on the City's Major Street Plan. The property is located in close proximity to the intersection of two principal arterial streets in a fully developed commercial corridor. In addition, full extent of the proposed development is located along two revitalization corridors identified on the City's Comprehensive Plan. Redevelopment of property in revitalization corridors should incorporate coordinated design in compliance with the requirements of the Rapid City Municipal Code.</p> <p>Rapid City Police Department has noted a high volume of call for service at the existing location, and has noted that the requested rezone will facilitate redevelopment of the site and improve the health and safety of the neighborhood. Pennington County Emergency Services has noted that redevelopment of the property should incorporate a change in address in order to improve public perception of the location and reset statistics related to the new development.</p> |

**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:**

| <b>Comprehensive Plan Conformance – Core Values Chapters</b>                        |   |
|---|---|
|  | <b>A Balanced Pattern of Growth</b>   |
| BPG-1.2C  | <u>Priority Revitalization Corridors:</u> East North Street is a primary target for reinvestment and redevelopment opportunities in the City. |
|  | <b>A Vibrant, Livable Community</b>   |
| LC-1.1A   | <u>Innovative Design:</u> The requested rezone, in combination with the associated  |

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|   | Final Planned Development, will ensure that the proposed commercial use is sufficiently buffered from neighboring commercial uses while still incorporating a new commercial development into an area targeted for redevelopment with a mix of residential and higher-intensity commercial uses.  |
|  | <b>A Safe, Healthy, Inclusive, and Skilled Community</b>  |
| SHIS-1.2A   | <u>Crime Prevention Through Design</u> : The Rapid City Police Department has noted that the existing hotel on the property produces an above average number of calls for service for the area. The Police Department has noted that redevelopment of the property with a new commercial use may reduce opportunities for crime and increase public safety. |
|  | <b>Efficient Transportation and Infrastructure Systems</b>  |
| N/A   | N/A   |
|  | <b>Economic Stability and Growth</b>  |
| N/A   | N/A   |
|  | <b>Outstanding Recreational and Cultural Opportunities</b>  |
| N/A   | N/A   |
|  | <b>Responsive, Accessible, and Effective Governance</b>   |
| GOV-2.1A  | <u>Public Input Opportunities</u> : The requested rezone requires notification of surrounding property owners located within 250 feet of the property and posting of a sign on the property. These notification requirements allow public input into the request. As of this writing, there have been no inquiries into the requested rezone.               |

| <b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b> |   |
|---|---|
| <b>Future Land Use Plan Designation(s):</b>                             | Urban Neighborhood  |
| <b>Design Standards:</b>  |   |
| Chapter 10, p. 93   | <u>Urban Neighborhood</u> : Commercial development can be considered an appropriate secondary use in the Urban Neighborhood land designation if the proposed uses serve the neighborhood. A mix of commercial and residential uses should be encouraged in areas transitioning from Urban Neighborhood to Mixed Use Commercial. |

| <b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b> |  |
|--|--|
| <b>Neighborhood:</b>   | North Rapid Neighborhood   |
| <b>Neighborhood Goal/Policy:</b>   |  |
| NR-NA1.1A  | <u>Reinvestment Areas</u> : East North Street and La Crosse Street are identified area for reinvestment and redevelopment within the North Rapid Neighborhood. |

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| <b>The Development Review Team Recommends that the request to rezone the property from Medium Density Residential District to General Commercial District be approved in conjunction with the associated Final Planned Development for the following reasons:</b> |   |
| •   | The requested rezone is in conjunction with an associated Final Planned Development for this property as well as property located to the north for the development of a convenience store with gas sales. |

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| • | The requested rezone and associated Planned Development are for property located along two separate Redevelopment Corridors as well as two Principal Arterial Streets on the City's Major Street Plan.                          |
| • | The associated Final Planned Development will be the tool to ensure that the proposed redevelopment of the site will incorporate screening and landscaping features which will mitigate potential negative impacts of the site. |

**Staff recommends that the request to rezone property from Medium Density Residential District to General Commercial District be approved in conjunction with the associated Final Planned Development.**