



Rapid City Planning Commission

Planned Development Overlay Project Report

June 20, 2019

Item #10
Applicant Request(s)
Case #19PD017 – Initial Planned Development Overlay to allow a duplex development Companion Case(s) #19RZ011 – Rezoning request from Low Density Residential District I to Medium Density Residential District; #19RZ012 – Rezoning request from Low Density Residential District II to Medium Density Residential District; #19PL034 – Preliminary Subdivision Plan to create 22 lots

Development Review Team Recommendation(s)
Staff recommends that the Planning Commission acknowledge the applicant's withdrawal.

Project Summary Brief
<p>(Update June 7, 2019. All revised and/or added text is shown in bold.) This item was continued from the May 23, 2019 Planning Commission at the applicant's request. On June 5, 2019, the applicant met with staff to discuss multiple options moving forward. On June 7, 2019, the applicant requested that the Initial Planned Development Overlay and the associated Rezoning and Preliminary Subdivision Plan requests be withdrawn. As such, staff recommends that the Planning Commission acknowledge the applicant's withdrawal. The applicant has submitted an Initial Planned Development Overlay to allow a duplex development to be located on a 11.639 acre parcel. In particular, the applicant is proposing to construct a 120-unit duplex development located on a single lot which requires a Final Planned Development Overlay to allow more than one primary structure. The applicant is not requesting any Exceptions from the land area regulations. The proposed associated Preliminary Subdivision Plan (File #19PL034) identifies that the two areas will be combined to form one lot. The applicant has also submitted two Rezoning requests (File #19RZ011 and File #19RZ012) from Low Density Residential District I and II to Medium Density Residential District for the proposed lot. Currently, the property is void of any structural development.</p>

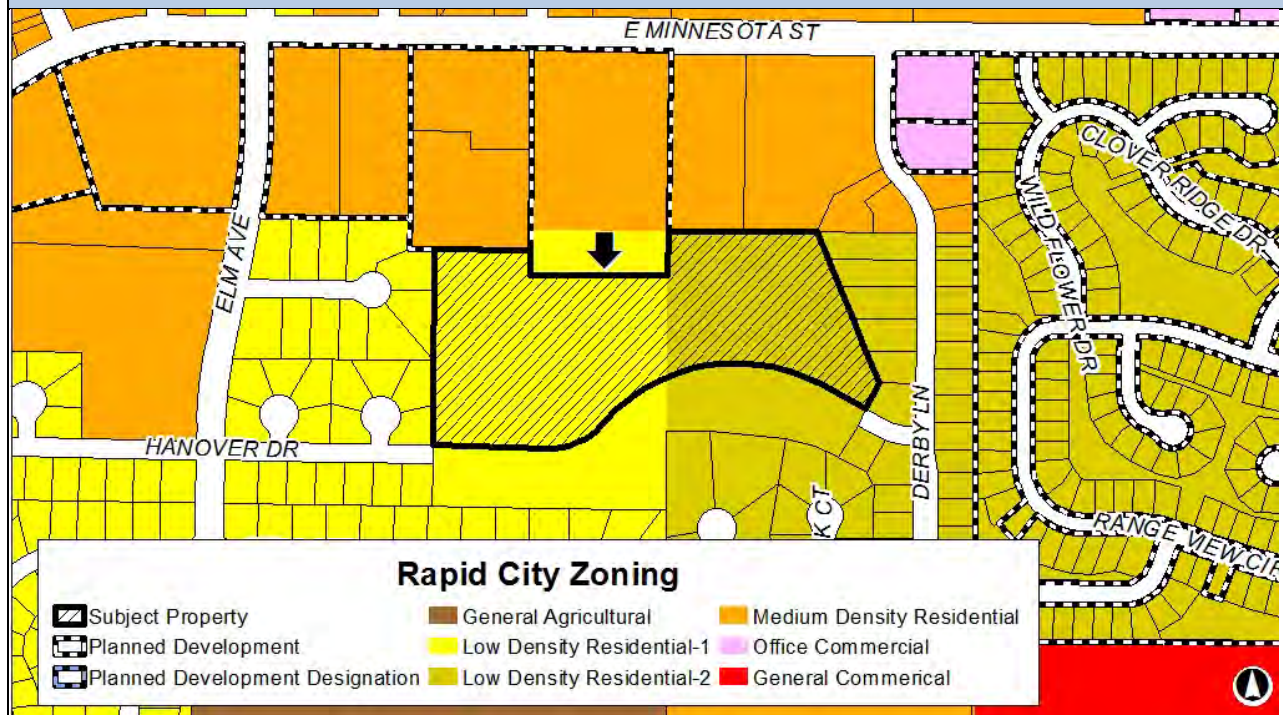
Applicant Information	Development Review Team Contacts
Applicant: Legacy Land Company	Planner: Fletcher Lacock
Property Owner: Legacy Land Company	Engineer: Roger Olson
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc.	School District: N/A
Surveyor: N/A	Water/Sewer: Roger Olson
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Approximately 625 feet east of the intersection of Hanover Drive and Elm Avenue
Neighborhood	South Robbinsdale Neighborhood Area
Subdivision	Legacy Subdivision
Land Area	11.639 acres
Existing Buildings	Void of structural development
Topography	Rises in elevation from the east and the west to a hill top
Access	Hanover Drive and Kentucky Lane
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ MDU

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	LDR I	LDN	Void of structural development
Adjacent North	MDR w/ PD	LDN	Apartments and townhomes
Adjacent South	LDR I	LDN	Void of structural development
Adjacent East	LDR II	LDN	Void of structural development
Adjacent West	LDR I	LDN	Single-family dwellings

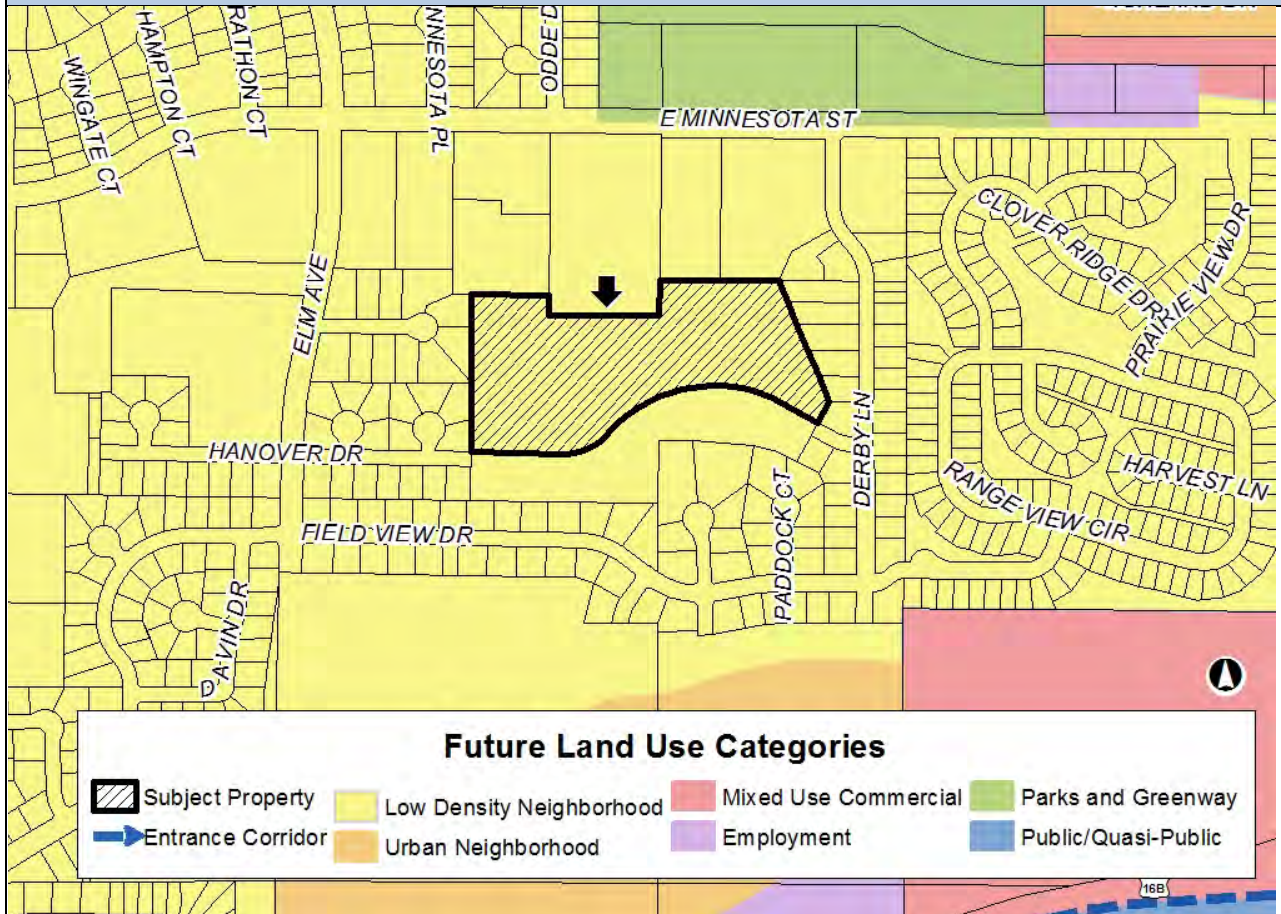
Zoning Map



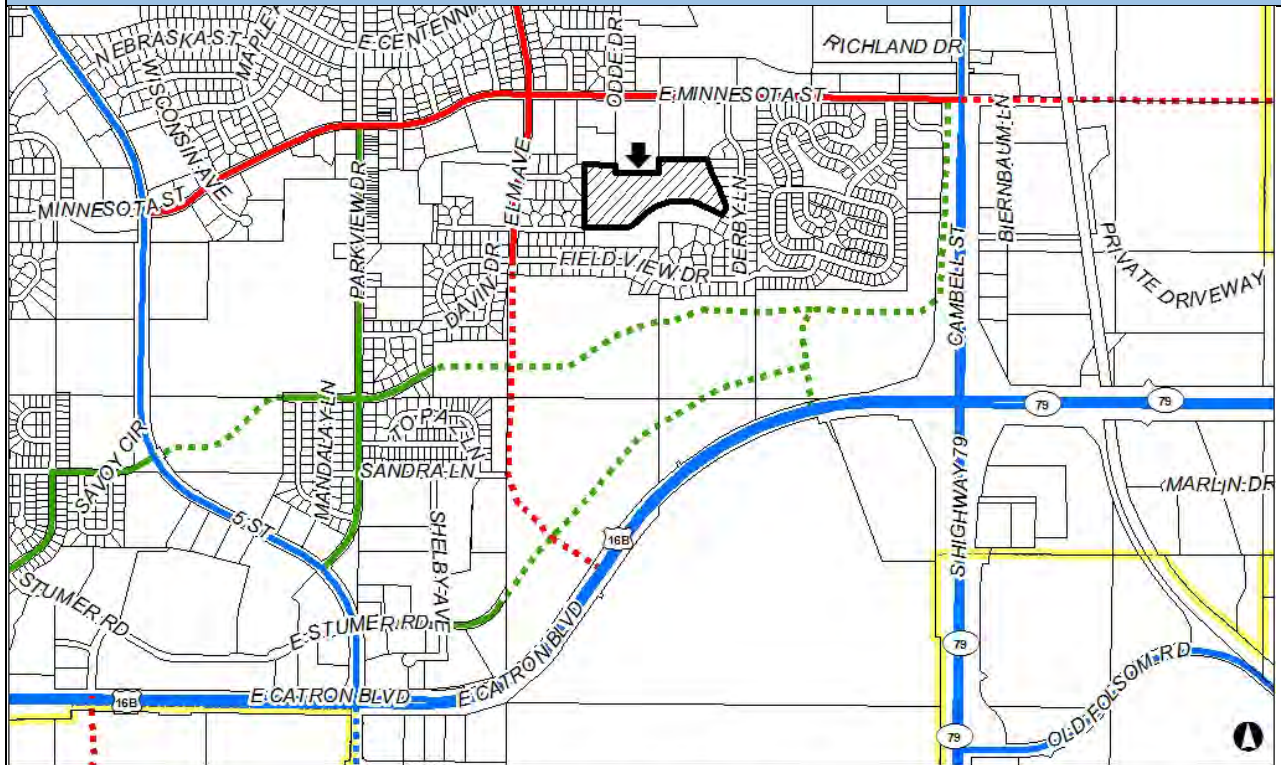
Existing Land Uses



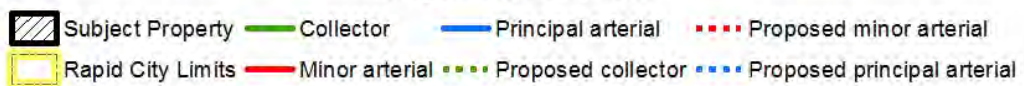
Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan






Relevant Case History			
Case/File#	Date	Request	Action
14PL048	08/21/2014	Lot Line Adjustment / Consolidation Plat	Staff approved
Relevant Zoning District Regulations			
Medium Density Residential District	Required	Proposed	
Lot Area	480,000 square feet	11.639 acres / 506,995 square feet	
Lot Frontage / Width	50 feet	Approximately 1,334 feet	
Maximum Building Heights	3 stories or 35 feet	One and two-story	
Maximum Density	35%	5.75%	
Minimum Building Setback:			
• Front	20 feet	25 feet	
• Rear	25 feet for main structures / 5 feet for accessory structure	25 feet for main structures / 24 feet accessory structure	
• Side	12 feet	50 feet	
• Street Side	N/A	N/A	
Minimum Landscape Requirements:			
• # of landscape points	477,812	Not required with Initial Planned Development Overlay application	
• # of landscape islands	4	4	
Minimum Parking Requirements:			
• # of parking spaces	240	274	
• # of ADA spaces	7	12	
Signage	As per RCMC 17.50.080	Not required with Initial Planned Development Overlay application	
Fencing	As per RCMC 17.50.340	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 a 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 approximately 11.639 acres in size and is currently zoned Low Density Residential District I and Low Density Residential District II. The associated Rezoning requests are to change the zoning to Medium Density Residential District. Currently, the property is void of any structural development. The applicant is proposing to construct a 120-unit duplex development. A Planned Development Overlay is required to allow multiple primary structures on a single property in the Medium Density Residential District.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	One primary structure is allowed per property. The applicant is proposing to construct a "cottage home" development with 60, 2-unit duplexes on a single lot requiring a Planned Development Overlay to allow more than one primary structure. The proposed development is not in keeping with the character of the surrounding neighborhood which is developed with single-family dwellings. Higher density development abuts East Minnesota Street which is identified as a Minor Arterial Street on the City's Major Street Plan. As such, land that abuts East Minnesota Street to the north is zoned Medium

	Density Residential District. The applicant could develop the land with a mix of single-family, duplexes and townhomes in compliance with the current zoning designations and in keeping with the spirit of the adopted Comprehensive Plan. The duplexes must be located on the portion of the proposed lot zoned Low Density Residential District II and be located on individual lots.
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 not requesting any Exceptions from the land area regulations.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	The applicant has submitted two Rezoning applications to change the current zoning of the property to Medium Density Residential District and a Preliminary Subdivision Plan to create an 11.639 acre lot for the duplex development. The future land use designation of the subject property is Low Density Neighborhood which does not support higher density multi-family development. The applicant could propose to develop the land with a mix of single-family dwellings, duplexes, and townhomes in compliance with the current zoning.
5. Any adverse impacts will be reasonably mitigated:	The Future Land Use Plan does not support multi-family development on the property which could have an adverse impact on the character of the residential neighborhood.
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 applicant is proposing a multi-family development on one lot with 120 dwellings units in 60 structures. The future land use plan supports one and two-family dwellings on individual lots. Higher density residential abuts East Minnesota Street to the north which can support higher density development.

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	Balanced Uses: Land to the north of the subject property is zoned Medium Density Residential District because it abuts East Minnesota Street which is identified as a Minor Arterial Street on the City’s Major Street Plan. The higher trafficked street supports higher densities of development and serves as the buffer to lower density development. The proposed Initial Planned Development Overlay and the associated Rezoning requests to Medium Density Residential District is in conflict with the adopted Comprehensive Plan which supports lower intensity residential development in this area.
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community

	N/A
	Efficient Transportation and Infrastructure Systems
T1-2.1A	Major Street Plan Integration: Hanover Drive is identified as a Local Street. The applicant should be aware that prior to submittal of a Final Plat, a Road Name Change application must be approved to change Kentucky Lane to Hanover Drive.
	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Initial Planned Development Overlay requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Initial 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	
Future Land Use Plan Designation(s):	Low Density Neighborhood
Design Standards:	
SDP-N6	Residential Infill and Redevelopment: The Medium Density Residential District is not identified as a zoning district supported by Low Density Neighborhood. The Comprehensive Plan supports infill development compatible with adjacent land uses. Properties in this area are developed with single-family dwellings. Properties zoned Medium Density Residential are clustered along East Minnesota Street which supports higher density development. The proposed Initial Planned Development Overlay is for a multi-family development which is not in keeping with the intent of the Low Density Neighborhood.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	South Robbinsdale Neighborhood Area
Neighborhood Goal/Policy:	
SR-NA1.1A	Residential Growth: The property is currently zoned Low Density Residential District I and II which would support single-family and two-family development in character with the surrounding neighborhood. Properties to the north are adjacent to East Minnesota Street, a Minor Arterial Street, and supports higher density development.

Findings	
Staff has reviewed the Initial Planned Development Overlay to allow a duplex development 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 applicant has submitted an Initial Planned Development Overlay to allow a duplex development with 120 units. The applicant has also submitted two Rezoning requests to change the zoning to Medium Density Residential District. The future land use designation for the subject property is Low Density Neighborhood	

which supports single-family and two-family dwellings on individual lots. The proposed Initial Planned Development Overlay and associated Rezoning requests are for multi-family development on a single lot. Higher density development is more appropriate along higher order streets such as East Minnesota Street, Parkview Drive and Elm Avenue. The proposed development is in conflict with the adopted Comprehensive Plan and the Future Land Use Plan.

Planning Commission Recommendation and Stipulations of Approval

Staff recommends that the Planning Commission acknowledge the applicant's withdrawal.