



Rapid City Planning Commission

Rezoning Project Report

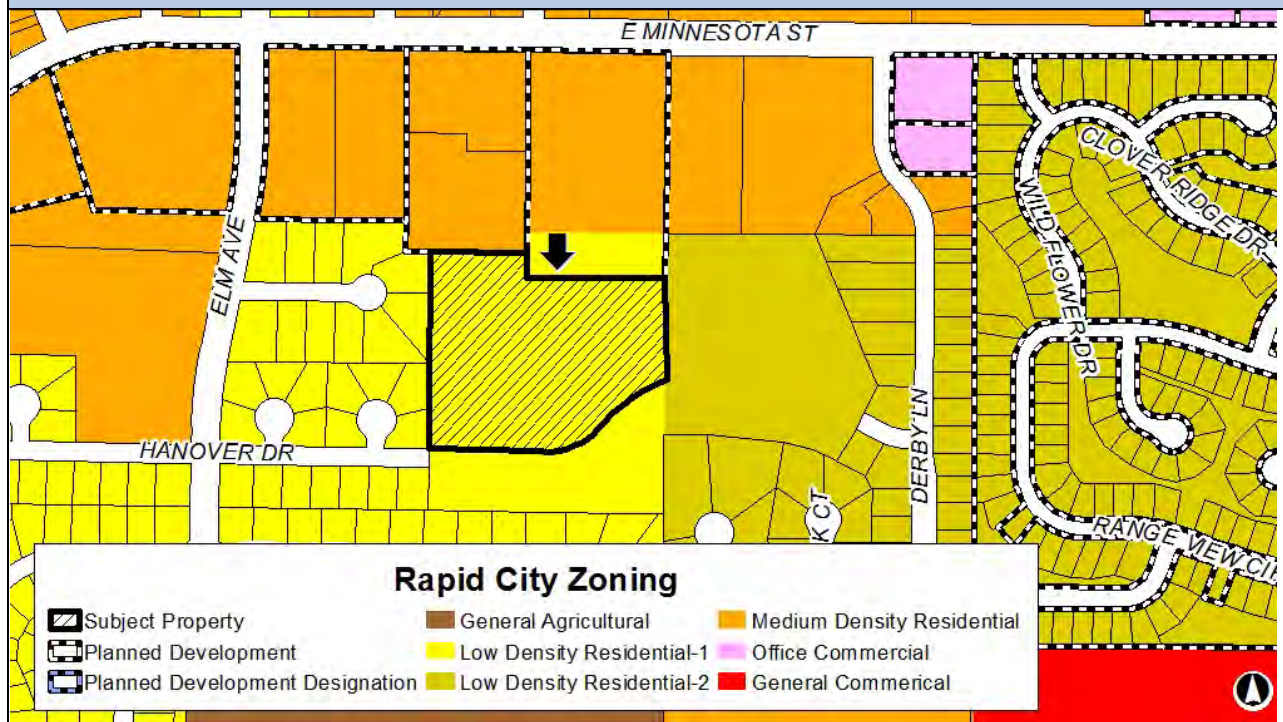
June 20, 2019

Item #11	
Applicant Request(s)	
Case #19RZ011 – Rezoning request from Low Density Residential District I to Medium Density Residential District	
Companion Case(s) #19RZ012 – Rezoning request from Low Density Residential District II to Medium Density Residential District; #19PD017 – Initial Planned Development Overlay to allow a duplex development; #19PL034 – Preliminary Subdivision Plan to create 22 lots	
Development Review Team Recommendation(s)	
Staff recommends that the Planning Commission acknowledge the applicant’s withdrawal.	
<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 Rezoning and the associated Rezoning, Initial Planned Development Overlay, and Preliminary Subdivision Plan requests be withdrawn. As such, staff recommends that the Planning Commission acknowledge the applicant’s withdrawal. The applicant has submitted a Rezoning request from Low Density Residential District I to Medium Density Residential District for a parcel of land 7.074 acres in size. The applicant has also submitted a Rezoning request (File #19RZ012) from Low Density Residential District II to Medium Density Residential District for the adjacent land to the east which measures 4.565 acres in size. The proposed associated Preliminary Subdivision Plan (File #19PL034) identifies that the two areas will be combined to form one lot and the associated Initial Planned Development Overlay (File #19PD017) is to allow a lot for duplex development. 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 Olsen
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	7.074 acres
Existing Buildings	Void of structural development
Topography	Rises in elevation from west to east approximately 50 feet
Access	Hanover Drive
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills Power/ MDU
Floodplain	N/A

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

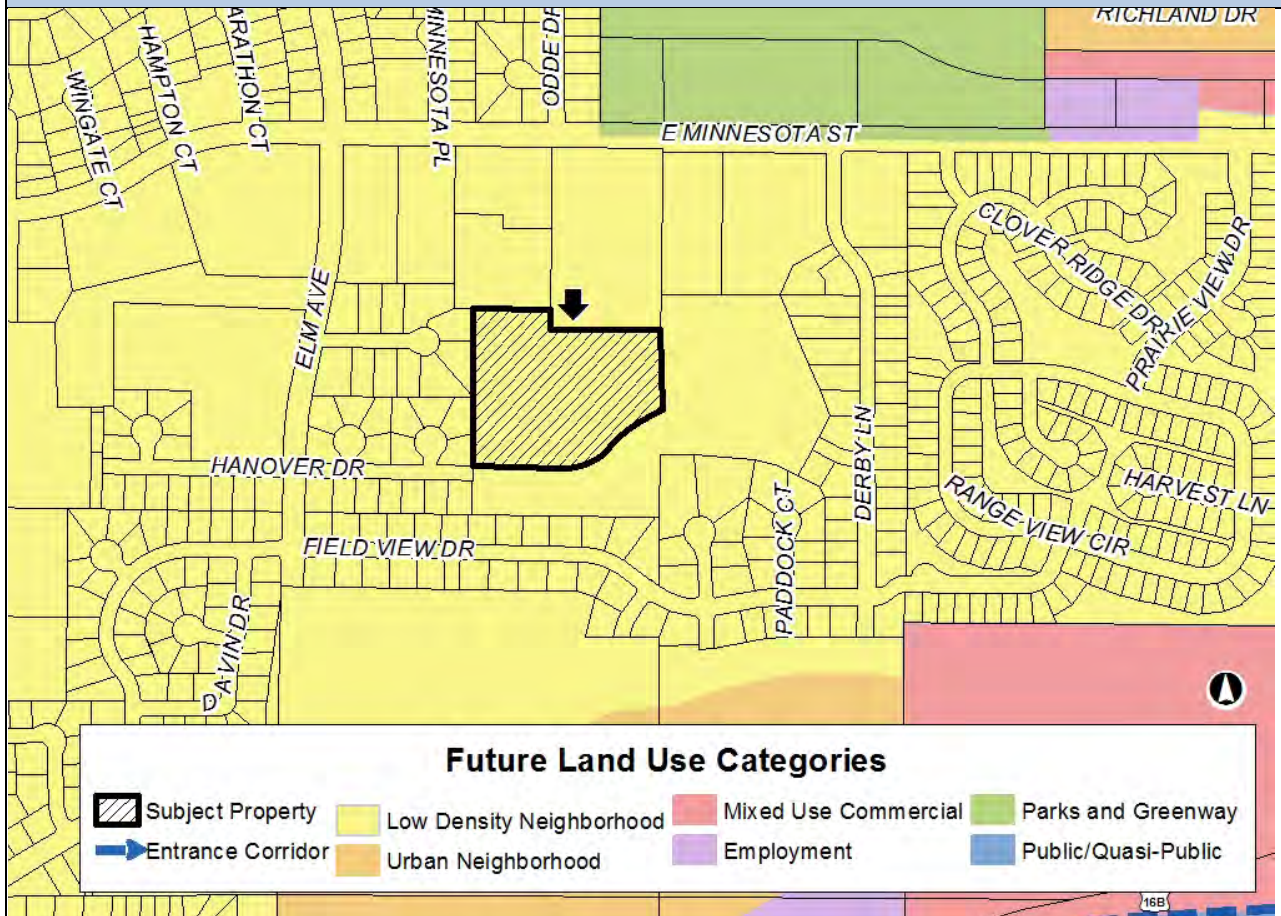
Zoning Map



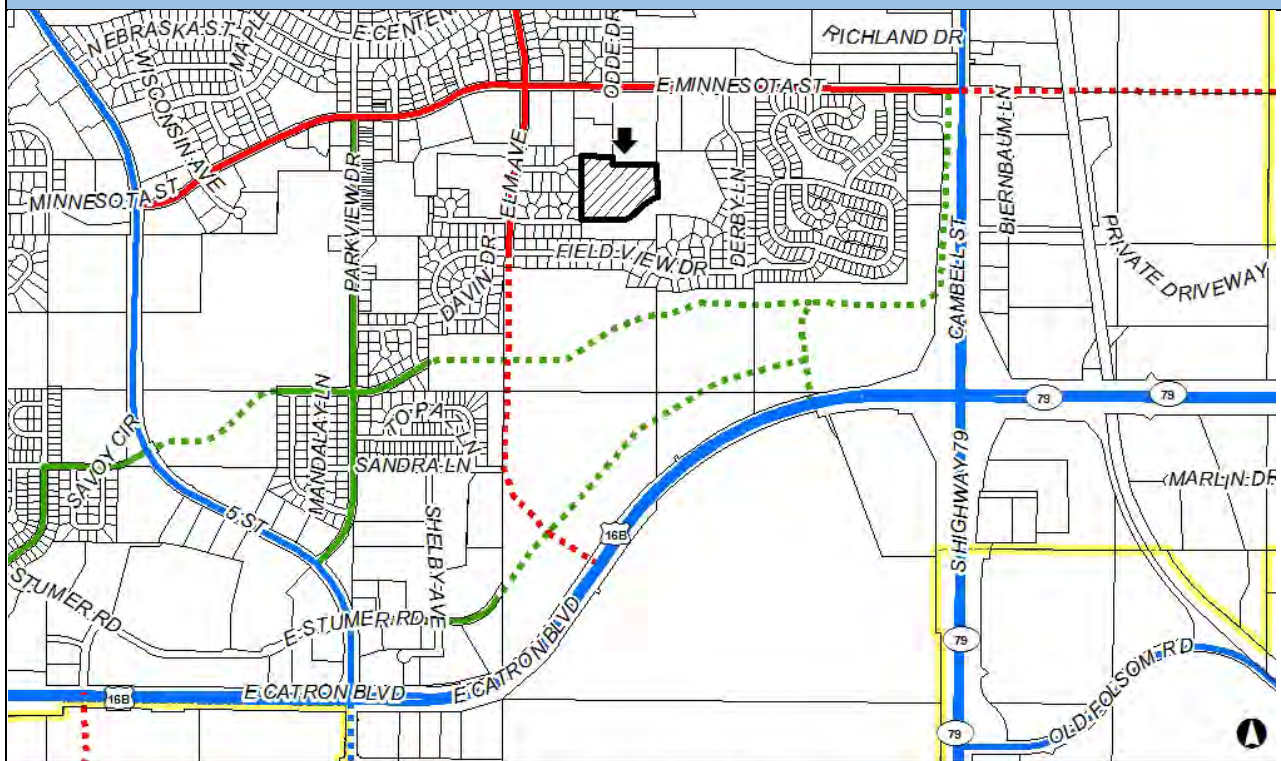
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



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	7.074 acres of a total development of 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 17.54.040.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 applicant has submitted a Preliminary Subdivision Plan (File #19PL034) to subdivide the subject property and the adjacent land to the east into a single lot measuring 13.18 acres in size. The associated Initial Planned Development Overlay (File #19PD017) is to allow a duplex development.
2. The proposed amendments shall be consistent with the intent and purposes of this title.	The future land use designation of the property is Low Density Neighborhood. The Medium Density Residential District is not identified as a compatible zoning district.
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 amendment.	The proposed Rezoning is not consistent with adjacent land uses in the area and the adopted Comprehensive Plan which identifies the future land use as Low Density Neighborhood. Rezoning the property to Low Density Residential District II is in compliance with the Future Land Use Plan. Duplexes on individual lots are a permitted use in the Low Density Residential District II. However, constructing more than one duplex on a lot is creating a multi-family development which is not

	supported by the City's Future Land Use Plan for this area.
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.	The future land use designation of the property is Low Density Neighborhood. The proposed Rezoning request is not consistent with the adopted Comprehensive Plan which does not identify multi-family development as appropriate.

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. Rezoning the property 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	The proposed Rezoning request 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 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.

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. A townhome development is located north of the subject property on land zoned Medium Density Residential District which abuts East Minnesota Street. However, the balance of the area is developed with single-family dwellings. Properties zoned Medium Density Residential are clustered along East Minnesota Street which supports higher density development.

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 which would support single-family development in character with the surrounding neighborhood. East Minnesota Street to the north is where properties are developed with higher densities.
Findings	
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 identifies the future land use designation of the subject property as Low Density Neighborhood. The Medium Density Residential District is not a compatible district. The proposed Rezoning request does not support the Comprehensive Plan goals of supporting compatible development. Properties zoned Medium Density Residential District are clustered along East Minnesota Street to the north which is identified as a Minor Arterial Street and supports higher density development.	

Planning Commission Recommendation and Stipulations of Approval
Staff recommends that the Planning Commission acknowledge the applicant's withdrawal.