



# Rapid City Planning Commission

## Rezoning Project Report

July 25, 2019

<b>Item #11</b>
<b>Applicant Request(s)</b>
Case # 19RZ024 – Rezoning request from General Agricultural District to Medium Density Residential District
Companion Case(s) N/A

<b>Development Review Team Recommendation(s)</b>
The Development Review Team recommends approval.

<b>Project Summary Brief</b>
<p>The applicant has submitted a Rezoning request to change the zoning designation from General Agricultural District to Medium Density Residential District for a 24.58-acre parcel of land located in the Orchard Meadows Subdivision. In particular, the applicant is proposing to rezone the balance of Tract A located east of Elk Vale Road, less the area located within the floodway and less the 100 year Federally designated floodplain. The applicant has submitted a Master Plan for Orchard Meadows showing the future development of a senior living community within the 24.58-acre parcel. The Master Plan identifies the area of Orchard Meadows located within the 100 year Federally designated floodplain and the floodway as ‘Open Green Space &amp; Park’. The applicant has indicated that upon approval of a letter of amendment to finalize the boundary of the 100 year Federally designated floodplain with the Federal Emergency Management Agency (FEMA), they will coordinate with the City to transfer ownership of the “Open Green Space &amp; Park” to the City pursuant to the terms of an “Agreement between the City of Rapid City and Yasmeen Dream 2, L.L.C., to exchange the Wally Byam site for land adjacent to the Rapid City Regional Airport”.</p> <p>The property is located at the western terminus of Jaffa Garden Way, directly east of Elk Vale Road. Currently, the property is void of any structural development.</p>

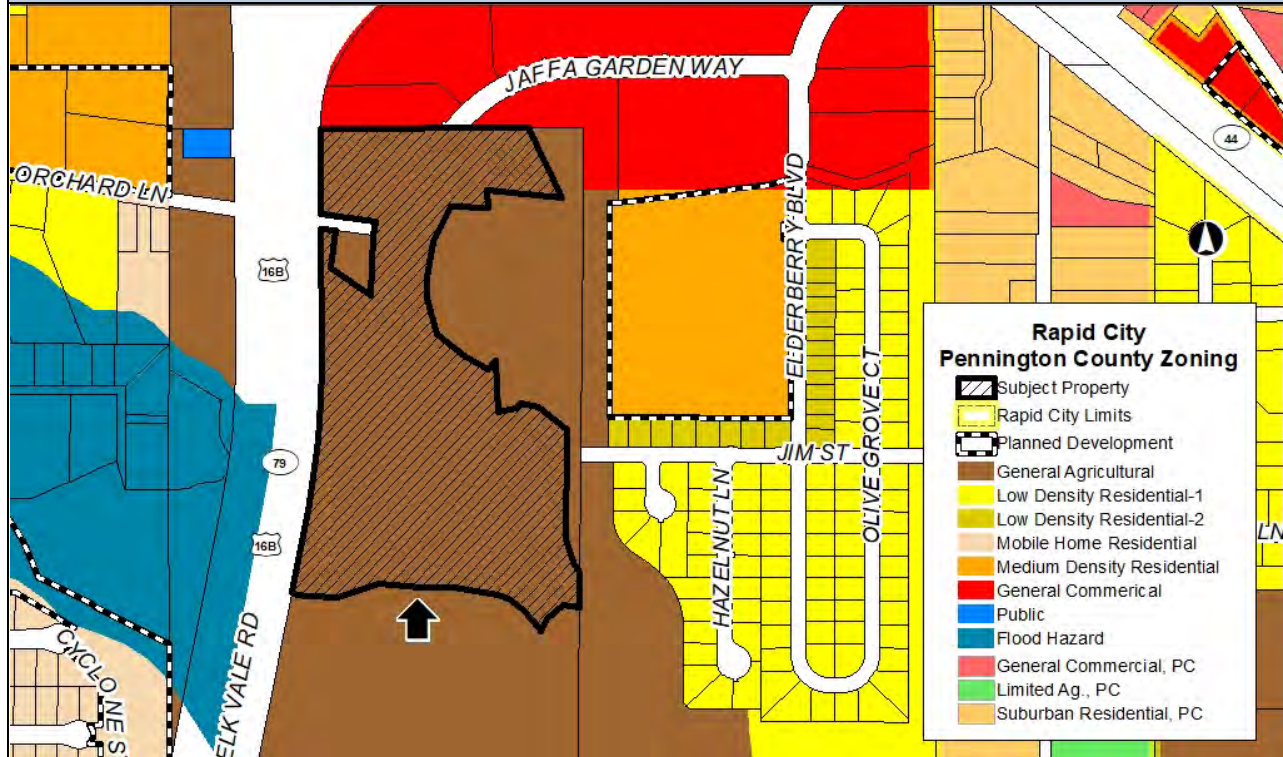
Applicant Information	Development Review Team Contacts
Applicant: Yasmeen Dream LLC	Planner: Vicki L. Fisher
Property Owner: Yasmeen Dream LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc.	School District: N/A
Surveyor: NKTM Design Solutions, Inc.	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	The western terminus of Jaffa Garden Way, directly east of Elk Vale Road
Neighborhood	Southeast Connector neighborhood
Subdivision	Orchard Meadows Subdivision
Land Area	24.58 acres
Existing Buildings	Void of structural development
Topography	Relatively flat
Access	Jaffa Garden Way and Jim Street
Water Provider	Rapid Valley Sanitary District
Sewer Provider	Rapid Valley Sanitary District
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A

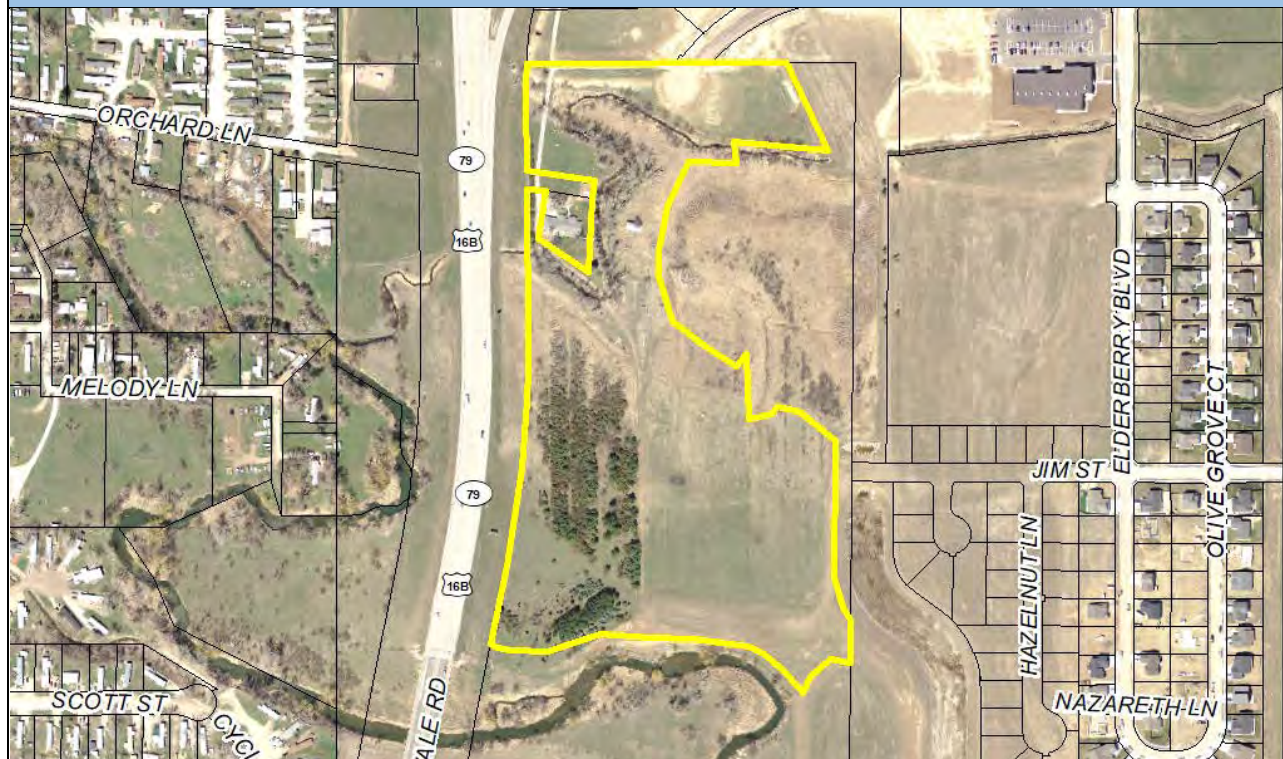
### Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GAD	Employment LDN	Void of structural development
Adjacent North	GC	MUC	Void of structural development
Adjacent South	GAD	LDN and Employment	Void of structural development
Adjacent East	GAD	Employment	Void of structural development
Adjacent West	GAD	LDN	Void of structural development

### Zoning Map

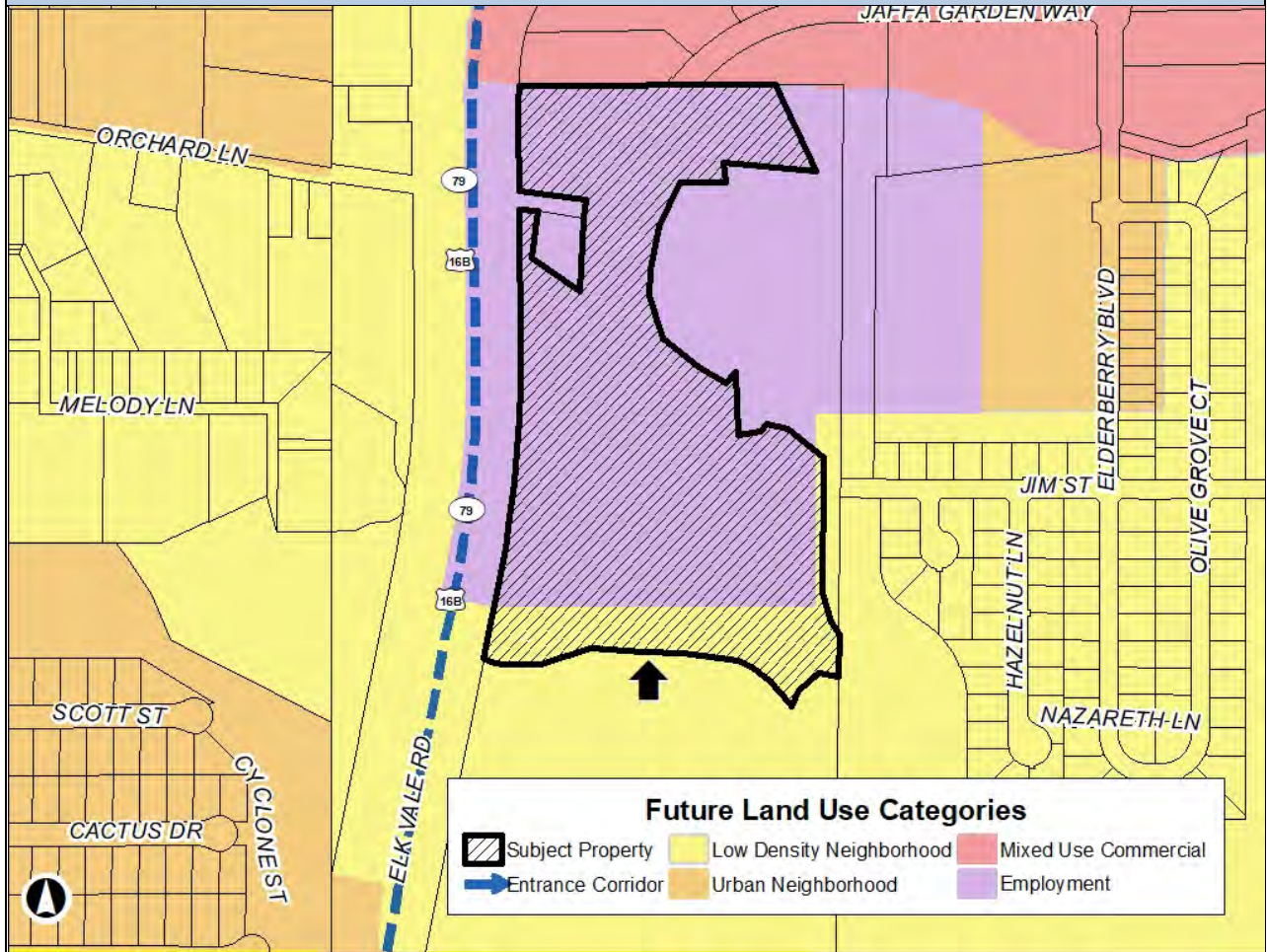


### Existing Land Uses





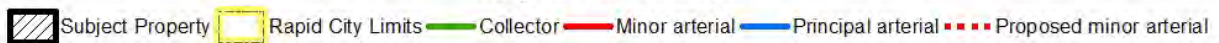
### Comprehensive Plan Future Land Use



### Parks or Transportation Plan



### Major Street Plan







Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Medium Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	24.58 acres or 1,070,764.15 square feet	
Lot Frontage / Lot Width	25 feet/50 feet	1,800 feet/900 feet	
Maximum Building Heights	2.5 stories, 35 feet	N/A	
Maximum Density	30%	N/A	
Minimum Building Setback:			
• Front	25 feet	N/A	
• Rear	25 feet	N/A	
• Side	8 feet or 12 feet	N/A	
• Street Side	20 feet to local streets and lane/place streets	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	Pursuant to RCMC	None proposed	
Fencing	Pursuant to RCMC	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.	Orchard Meadows is a phased development providing a mix of commercial and residential uses. The applicant's Master Plan identifies the 24.58-acre parcel as the future location of a senior living community. The General Agriculture District has served as a holding zone until previous phases of Orchard Meadows have been completed to provide utility and street access to this area of the property. The continued progressive development of Orchard Meadows constitutes changing conditions supporting rezoning the property.
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 Employment with a small area within the southern portion designated as Low Density Neighborhood. Properties to the east of the subject property are identified as appropriate for Low Density Neighborhood and Urban Neighborhood which supports the Medium Density Residential District. In addition, properties located east of this parcel are currently zoned Low Density Residential District and Medium Density Residential District, respectively. Based on the applicant's Master Plan, staff supports the change and will initiate the amendment to the Future Land Use Plan when completing the next periodic update to the map. With this in mind, rezoning the property as proposed will be in compliance with the City's Comprehensive Plan once the amendment is approved by the City Council.



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 development is located within Orchard Meadows Subdivision, a development with a mix of residential and commercial uses. It does not appear that the amendment will adversely affect any other part of the City.
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 a part of the previously approved plats for Orchard Meadows, streets, utilities and drainage elements have been provided in compliance with the City's Major Street Plan, Utility Master Plan and the Unnamed Tributary Drainage Basin Plan. As such, the proposed Rezoning request is consistent with and not in conflict with the City's development plan(s).

**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-1.2A	Priority Infill Areas – This goal prioritizes and encourages infill development in areas that have been skipped over due to property constraints, ownership patterns, or other reasons, as a means to maximize infrastructure investments and vibrancy to existing areas. Rezoning the property as proposed supports the creation of a senior living community within the Orchard Meadows Subdivision, which has been approved for a mix of commercial and residential development.
 <b>A Vibrant, Livable Community</b>	
LC-2-1F	Phased Development – This goal encourages established phasing plans for larger developments to address the timing of infrastructure improvements. Orchard Meadows Subdivision is being constructed as a phased development. With the construction of each phase, street, utility and drainage improvements are being provided in compliance with the City's development plans.
 <b>A Safe, Healthy, Inclusive, and Skilled Community</b>	
SHIS-3.1A	Pedestrian and Bicycle Networks – This goal encourages the construction of sidewalks to provide a pedestrian pathway, especially within a residential development. As a part of platting the property to create the senior living community, sidewalks will be required along all street rights-of-way.
 <b>Efficient Transportation and Infrastructure Systems</b>	
T1-2.1A	<b>Major Street Plan Integration</b> - This goal encourages the integration of the Major Street Plan into land use planning and the development review process in order to ensure the development and maintenance of a complete roadway network. S.D. Highway 44, a principal arterial street on the City's Major Street Plan, serves as access to Orchard Meadows. A traffic signal has been installed at the entrance of Orchard Meadows to accommodate traffic from the proposed development. Subsequently, the applicant's development of the property is in compliance with the City's Major Street Plan.

 <b>Economic Stability and Growth</b>	
EC-3.2D	Residential Development in Existing Infrastructure Service Areas – This goal supports residential development in areas where infrastructure and services exist as a first priority. City services such as police and fire protection currently exist for this area. In addition, Rapid Valley Sanitary District sewer and water exist within the area to serve the proposed development.
 <b>Outstanding Recreational and Cultural Opportunities</b>	
RC-1.2D	Lighting and Safety Enhancements –The applicant’s Master Plan identifies an “Open Green Space & Park” area located directly adjacent to the proposed senior living community. The Master Plan identifies a pedestrian walkway connection between the subject property and the green space. As a part of platting the property to create the senior living community, sidewalks and street lights along all right-of-way will be required to enhance pedestrian safety.
 <b>Responsive, Accessible, and Effective Governance</b>	
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 – Neighborhood Area Policies Chapter	
<b>Neighborhood:</b>	<b>Southeast Connector Neighborhood Area</b>
<b>Neighborhood Goal/Policy:</b>	
SEC-Na1.1D	<b>Mixed Use Development:</b> The Southeast Connector Neighborhood Area Plan encourages mixed use development within areas along S.D. Highway 44. This property is located within this preferred mixed used growth area.

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 and finds that it complies. The General Agriculture District has served as a holding zone until previous phases of Orchard Meadows have been completed to provide utility and street access to this area of the property. Based on the applicant’s Master Plan, staff supports the Rezoning request change and will initiate the amendment to the Future Land Use Plan when completing the next periodic update to the map.

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