



Rapid City Planning Commission

Rezoning Project Report

April 7, 2016

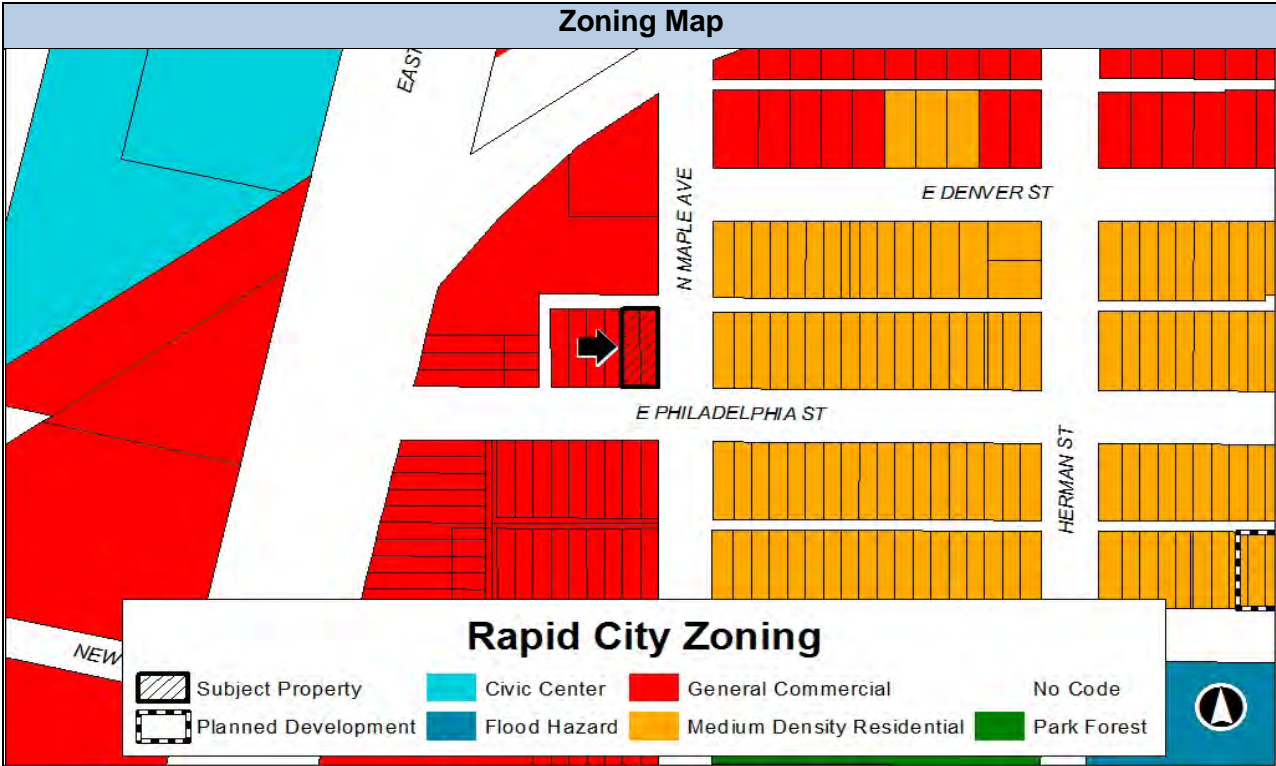
Item #9	
Applicant Request(s)	
Case #16RZ007, a request to rezone property from General Commercial District to Office Commercial District	
Associated Case #s:	N/A

Development Review Team Recommendation(s)	
The Development Review Team recommends that the request to rezone property from General Commercial District to Office Commercial District be approved.	

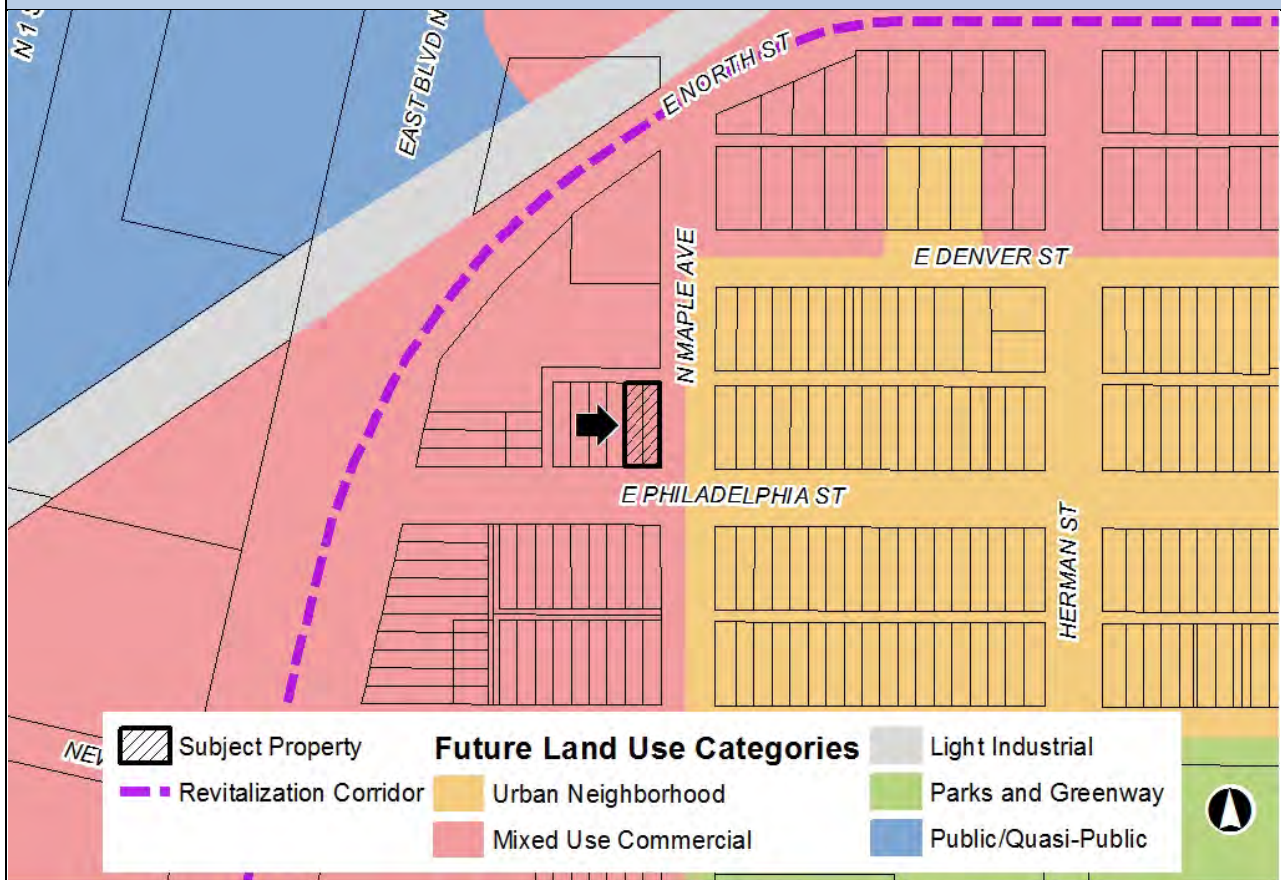
Project Summary Brief	
<p>The applicant has submitted a request to rezone approximately 0.13 acres of property from General Commercial District to Office Commercial District. Although the property is currently zoned General Commercial District, a single family residence has existed on the site for a number of years. A single family residence is not a permitted use in the General Commercial District and, as such, the use on the site is considered legally non-conforming. The applicant would like to secure the use of a single family residence permanently and, as such, the applicant has requested that the property be rezoned from General Commercial District to Office Commercial District, which would allow the existing single family residence to continue to be located on the site.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Erma F. Rogers Estate	Planner: Robert Laroco
Property Owner: Erma F. Rogers Estate	Engineer: Nicole Lecy
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Nicole Lecy
Other:	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	16 East Philadelphia Street, northwest of the intersection of East Philadelphia Street and North Maple Avenue
Neighborhood	North Rapid Neighborhood
Subdivision	Blakes Addition
Land Area	0.13 acres, approximately 5,663 sq ft
Existing Buildings	Existing single family residence
Topography	Sloping downhill from north to south
Access	North Maple Avenue
Water Provider	Rapid City water
Sewer Provider	Rapid City sewer
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities
Floodplain	None identified
Other	

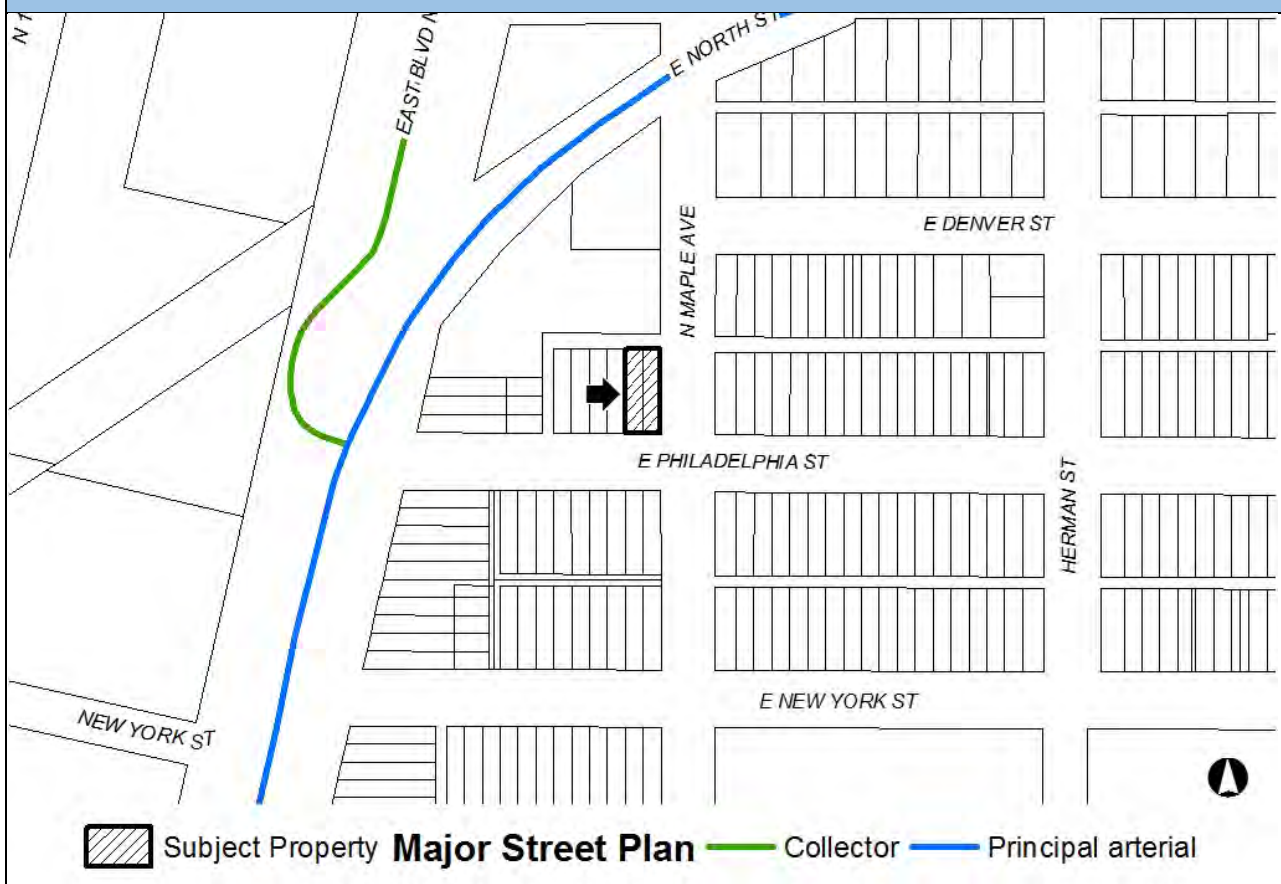
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC	Single family residential
Adjacent North	GC	MUC	Existing commercial
Adjacent South	GC	MUC	Existing commercial
Adjacent East	MDR	UN	Single family residential
Adjacent West	GC	MUC	Multifamily residential



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			
Office Commercial District	Required	Proposed	
Lot Area	6,500 sq ft-single family	0.13 acres, approximately 5,663 sq ft. (Lots size will remain legally non-conforming.)	
Lot Frontage	Minimum 25 ft along a public street, minimum 50 feet at the front building line	Approximately 170 ft	
Maximum Building Heights	2 ½ stories, 35 ft.	1 story, less than 35 ft.	
Maximum Density	30%	Unknown	
Minimum Building Setback:			
• Front	20 ft	Unknown	
• Rear	25 ft	Unknown	
• Side	8'-single story 12' two stories or more	Unknown	
• Street Side	20 ft.	Unknown	
Minimum Landscape Requirements:			
• # of landscape points	Not required.	N/A	
• # of landscape islands	Not required.	N/A	
Minimum Parking Requirements:			
• # of parking spaces	2/Unit	Minimum 4 spaces	
• # of ADA spaces	N/A	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 0.13 acres and is currently developed with a single family residence. There are no changing conditions in the area which necessitate the rezone. However, it should be noted that the property is located within an area anticipated to be developed with light commercial uses in the future. The Office Commercial District is appropriate as a transitional zoning district buffering commercial and residential uses.
2. The proposed amendments shall be consistent with the intent and purposes of this title.	The Office Commercial District is appropriate for a mix of light commercial and residential uses. The District allows single family residences as a permitted use. Based on the location of property in an area transitioning between commercial and residential uses, the proposed amendment is consistent with the intent of the Ordinance.
3. The proposed amendment shall not adversely affect any other part of the city, nor shall	The property is located in an existing area comprised of a mix of residential and commercial uses. The requested rezone will allow the existing residential use to remain on

any direct or indirect adverse effects result from the amendment.	the property, but will also allow light-intensity commercial uses to be located on the property in the future. The requested amendment does not 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.	The Rapid City Future Land Use Map identifies the property as appropriate for a Mixed Use Commercial uses, and it is adjacent to property identified as Urban Neighborhood. The Office Commercial District allows residential and light-intensity commercial activities and, as such, is appropriate in an area with a mix of commercial and residential uses. The requested rezone is consistent with the development plans for Rapid City.

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-3.2B	<u>Housing to Enhance Vibrancy</u> : The requested rezone will permit an existing single-family residence to remain in an area comprised of a mix of residential and commercial uses, adding to the unique blend and range of housing types in the neighborhood.
	A Vibrant, Livable Community
LC-3.1A	<u>Retain and Enhance Existing Housing Stock</u> : The requested rezone supports the retention of existing housing stock and promotes the reinvestment and improvement of an existing residential area.
	A Safe, Healthy, Inclusive, and Skilled Community
N/A	N/A
	Efficient Transportation and Infrastructure Systems
N/A	N/A
	Economic Stability and Growth
EC-1.2A	<u>Housing Stock</u> : The requested rezone encourages unique housing opportunities.
	Outstanding Recreational and Cultural Opportunities
N/A	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	<u>Public Input Opportunities</u> : The requested rezone requires notification of surrounding property owners within 250 feet of the subject 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.
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Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Mixed Use Commercial
Design Standards:	
GPD-MU8	<u>Relationship to Surrounding Neighborhoods:</u> The requested rezone will allow the continued incorporation of lower-intensity housing types along a street frontage shared with a residential area, which is critical to promoting compatibility in a mixed-use neighborhood.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	North Rapid Neighborhood
Neighborhood Goal/Policy:	
NR-NA1.1A	<u>Residential Neighborhoods:</u> The requested rezone promotes the reinvestment into infill and redevelopment of residential neighborhoods in the North Rapid area.

The Development Review Team recommends that the request to rezone the property from General Commercial District to Office Commercial District be approved for the following reasons:	
•	The applicant has requested to rezone property from General Commercial District to Office Commercial District. The requested rezone is to allow an existing single-family residence to remain on the property. A single-family residence that is not in conjunction with another primary use is neither a conditional nor a permitted use in the General Commercial District. A single-family residence is a permitted use in the Office Commercial District.
•	The property is located along North Maple Avenue, in an area developed with a mix of commercial uses to the west and residential uses to the east. The Office Commercial District is an appropriate zoning district to serve as a buffer in an area transitioning between heavier-intensity commercial uses and lower-intensity residential uses.
•	The Future Land Use Map shows the property as appropriate for mixed use commercial development in the future. However, the applicant intends to continue the single-family residential use on the property. The Office Commercial District will allow the existing residential uses to remain on the property while also allowing future development of the property in compliance with the Comprehensive Plan. In addition, the Office Commercial Zoning District is intended to provide areas for low-intensity, neighborhood-serving commercial development, especially in close proximity to residential areas.

Staff recommends that the request to rezone property from General Commercial District to Office Commercial District be approved.