

# Rapid City Planning Commission

## Planned Development Overlay Project Report

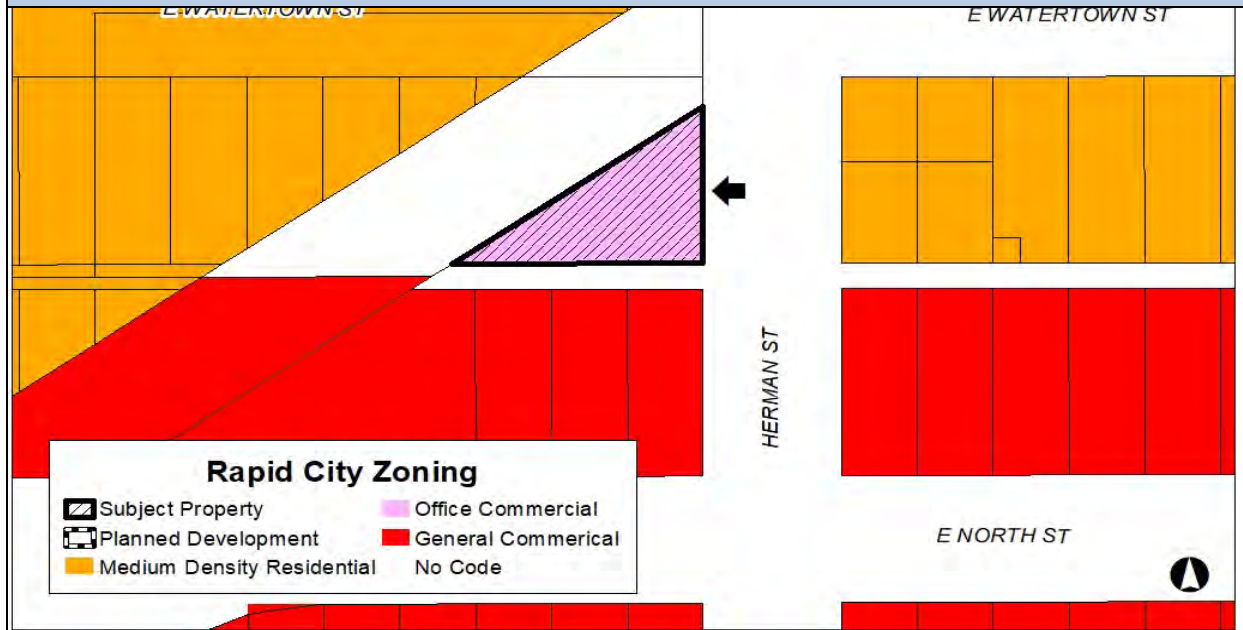
### March 26, 2020

<b>Item #2</b>	
<b>Applicant Request(s)</b>	
Case #20PD005 – Major Amendment to a Planned Development Overlay to allow a single-family residential use	
Companion Case(s) N/A	
<b>Development Review Team Recommendation(s)</b>	
The Development Review Team recommends approval of the Major Amendment to the Planned Development Overlay to allow a single-family residential use in conjunction with approval of the associated Rezoning request (File# 20RZ013) with stipulations as noted below.	
<b>Project Summary Brief</b>	
<p>The applicant has submitted a Major Amendment to a Planned Development Overlay to allow a single-family residential use on the property located at 611 Herman Street. The subject property is 0.22 acres in size and is zoned Office Commercial District. On May 27<sup>th</sup>, 1999, the Rapid City Planning Commission approved a Planned Development Overlay application to allow an office on the subject property with the stipulation that any change in use required the review and approval of a Major Amendment to the Planned Development Overlay. Additionally, while a single-family residence is currently listed as a permitted use in the Office Commercial District, City Staff is amending the Rapid City Municipal Code to remove single-family residences as a permitted use within the district, requiring that the property be rezoned to a residential zoning district. As such, the applicant has submitted this application concurrently with a rezoning request (File# 20RZ013) to rezone the subject property from Office Commercial District to Medium Density Residential District.</p> <p>The City's Future Land Use Plan currently lists the property as Employment Center, which does not list Medium Density Residential District as an appropriate zoning designation. Based on the existing and proposed land uses within the area and the location of the property, Future Land Use Planning Staff supports changing the Future Land Use Plan to Urban Neighborhood and will initiate the amendment to the Future Land Use Plan when completing the next periodic update to the map.</p>	
<b>Applicant Information</b>	<b>Development Review Team Contacts</b>
Applicant: Cliff Clevenger for Black Hills Area Habitat for Humanity	Planner: John Green
Property Owner: Black Hills Area Habitat for Humanity	Engineer: Roger Olsen
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Roger Olsen
Other: N/A	DOT: Stacy Bartlett
<b>Subject Property Information</b>	
Address/Location	611 Herman Street
Neighborhood	North Rapid Neighborhood Area
Subdivision	Schnasse Addition
Land Area	0.22 acres or 9,583 square feet
Existing Buildings	1,010 square foot office and 190 square-foot shed
Topography	Relatively flat
Access	Herman Street
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	OC-PD	EC	Office
Adjacent North	MDR	UN	Single-family dwelling
Adjacent South	GC	MUC	Restaurant
Adjacent East	MDR	UN	Single-family dwellings
Adjacent West	MDR	LI	Single-family dwelling

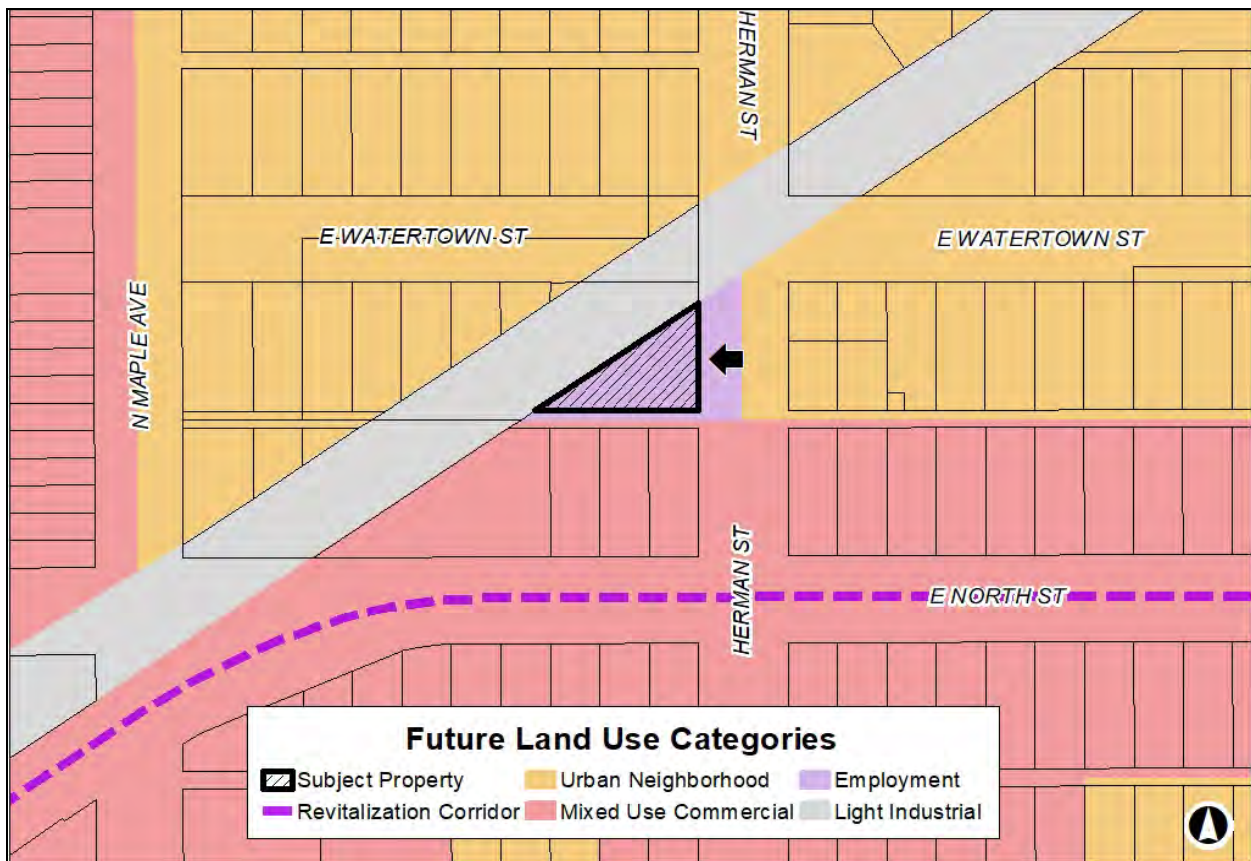
**Zoning Map**



**Existing Land Uses**



**Comprehensive Plan Future Land Use**



**Parks or Transportation Plan**








**Relevant Case History**



Case/File#	Date	Request	Action

99PD013	4/30/99	Planned Commercial Development	PC approved 5/27/99
99RZ012	4/30/99	Rezone	PC approved 5/27/99 CC approved 6/21/99
Relevant Zoning District Regulations			
Medium Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	0.22 acres or 9,583 square feet	
Lot Frontage / Lot Width	50 feet	Approximately 100 feet	
Maximum Building Heights	3 stories or 35 feet	Single-story	
Maximum Density	30%	12.5%	
Minimum Building Setback:		N/A	
• Front	20 feet	N/A	
• Rear	25 feet	55 feet	
• Side	8 feet	Requesting and Exception to allow a 3-foot side yard setback in lieu of 8 feet required	
• Street Side	20 feet	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	2 spaces	4 spaces	
• # of ADA spaces	N/A	N/A	
Signage	As per RCMC 17.50.080	N/A	
Fencing	As per RCMC 17.50.340	N/A	

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 Major Amendment to 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 subject property is approximately 0.22 acres in size and is zoned Office Commercial District. On May 27 <sup>th</sup> , 1999, a Final Planned Development Overlay application (File #99PD013) was approved on the property to allow an office for the Black Hills Area Habitat for Humanity with the stipulation that any change in use in the property required the review and approval of a Major Amendment to the Planned Development Overlay. The applicant has submitted this Major Amendment to the Planned Development Overlay to allow a single-family residential use on the property. Additionally, the applicant has submitted this application concurrently with a Rezoning request (File# 20RZ013) to rezone the subject property from Office Commercial District to Medium Density Residential District due to proposed amendments to the Rapid City Municipal Code removing single-family residential uses as a permitted use within the Office Commercial District.
2. The application of these regulations to this particular piece of property would create a	A single-family residence is a permitted use within the Medium Density Residential District.

practical difficulty or undue hardship:	
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 requesting to reduce the required side yard setback from 8 feet to 3 feet for an existing detached accessory structure. The requested side yard setback reduction is for the northern lot line, which is adjacent to railroad right-of-way and not in the vicinity of any existing or proposed structures. As such, staff supports the Exception request to reduce the required side yard setback from 8 feet to 3 feet.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	A single-family residence is a permitted use within the Medium Density Residential District.
5. Any adverse impacts will be reasonably mitigated:	The proposed change of use from an office to a single-family residence and the associated Exception request are not anticipated to cause any adverse impacts on adjacent land uses. Additionally, the stipulations of approval for the Major Amendment to the Planned Development Overlay will serve to reasonably mitigate adverse impacts on adjacent land uses.
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:	Since the requested Exception to reduce the required side yard setback for an existing detached accessory structure is minimal in nature and the side yard is adjacent to railroad right-of-way, the requested Exception and is not expected to cause any adverse impacts on surrounding properties.

<b>Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial</b>	
<b>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>	
<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
	<b>A Balanced Pattern of Growth</b>
BPG-1.1A	<b>Compact Growth:</b> The proposed development will promote future residential development on the property adjacent to established residential neighborhoods.
	<b>A Vibrant, Livable Community</b>
N/A	
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
N/A	
	<b>Efficient Transportation and Infrastructure Systems</b>
T1-2.1A	<b>Major Street Plan Integration:</b> The subject property is accessed via an alley connected to Herman Street, which is identified as a Local Street.
	<b>Economic Stability and Growth</b>
EC-1.2A	<b>Housing Stock:</b> N/A

	<b>Outstanding Recreational and Cultural Opportunities</b>
	N/A
	<b>Responsive, Accessible, and Effective Governance</b>
GOV-2.1A	<b>Public Input Opportunities:</b> The proposed Major Amendment to the 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 Major Amendment to the Planned Development is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
<b>Future Land Use Plan Designation(s):</b>	Urban Neighborhood
<b>Design Standards:</b>	
SDP-N6	<b>Residential Infill and Development:</b> The proposed development for a single-family residence near an established residential neighborhood.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	North Rapid Neighborhood Area
<b>Neighborhood Goal/Policy:</b>	
NR-NA1.1A	<b>Residential Neighborhoods:</b> The proposed development represents residential infill of an existing neighborhood.

<b>Findings</b>	
<p>Staff has reviewed the Major Amendment to the Planned Development Overlay to allow a single-family residence 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 is proposing to re-develop the subject property from office use to a single-family dwelling unit. Additionally, the applicant has submitted this application concurrently with a Rezoning application (File# 20RZ013) to bring the property into compliance with proposed amendments to the Office Commercial Zoning District that will restrict residential uses in the future. The proposed use is in compliance with the Comprehensive Plan and does not appear to cause any adverse impacts on surrounding properties. As such, staff recommends approval of the Major Amendment to the Planned Development Overlay to allow a single-family residential use in conjunction with approval of the associated Rezoning request (File# 20RZ013).</p>	

<b>Planning Commission Recommendation and Stipulations of Approval</b>	
<p>Staff recommends approval of the Major Amendment to the Planned Development Overlay to allow a single-family residential use in conjunction with approval of the associated Rezoning request (File# 20RZ013) with stipulations as noted below:</p>	
1.	An Exception is hereby granted to allow a side yard setback of 3 feet in lieu of 8 feet required for the existing detached accessory structure;
2.	The Major Amendment to a Planned Development Overlay shall allow a single-family residence on the property. Any change in use that is a permitted use in the Medium Density Residential District shall require a review and approval of a Building Permit. Any change in use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Final Planned Development Overlay.

# Rapid City Department of Community Development

## Development Review Advisories

<i>Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. <b>This is not a complete list.</b> All City, District, State, and Federal requirements must be continually met.</i>	
	<b>Applicant Request(s)</b>
<b>Case #20PD006</b>	Final Planned Development Overlay to expand a utility substation
<b>Companion Case(s) #</b>	N/A
<b>ADVISORIES: Please read carefully!</b>	
1.	A Building Permit shall be obtained prior to any structural construction or initiation of use and a Certificate of Occupancy shall be obtained prior to occupancy;
2.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
3.	All requirements of the currently adopted Building Code shall be met;
4.	ADA accessibility shall be provided throughout the structure and site as necessary;
5.	All provisions of the underlying zoning districts shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment to the Planned Development;
6.	All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind; and,
7.	All applicable provisions of the adopted International Fire Code shall continually be met.