

Rapid City Planning Commission

Rezoning Project Report

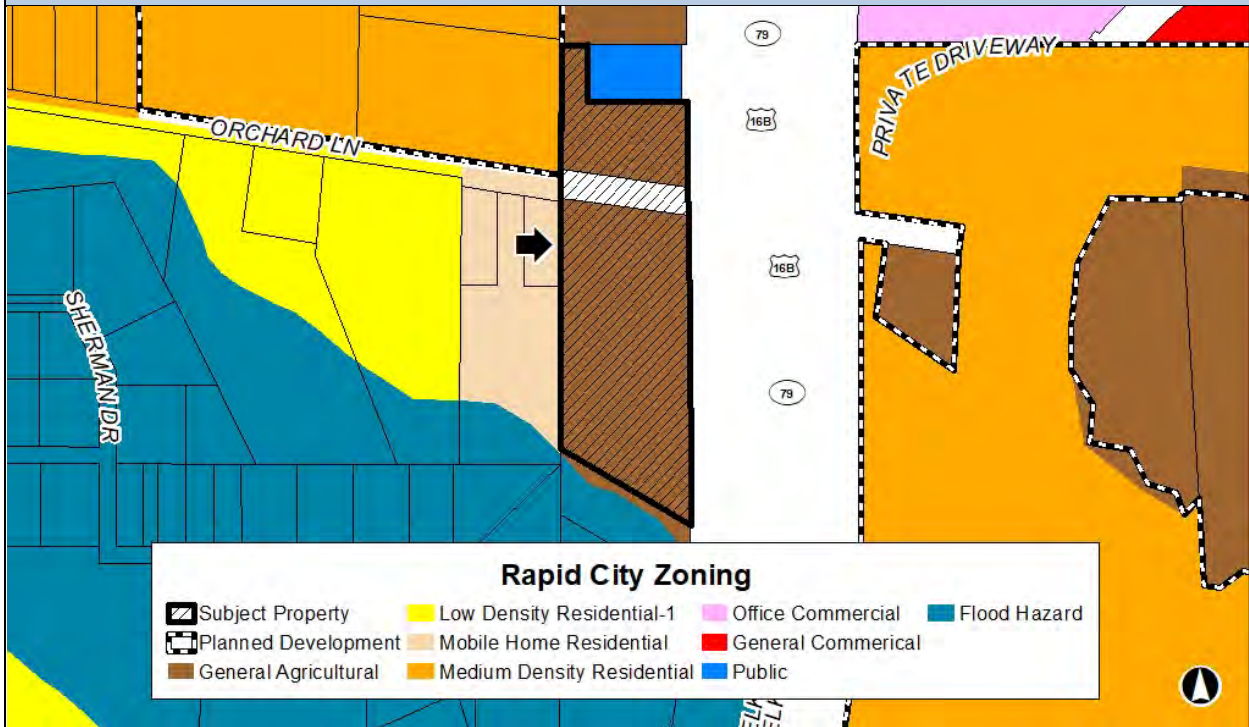
April 23, 2020

Item #17	
Applicant Request(s)	
Case #20RZ024 – Rezoning request from General Agricultural District to Medium Density Residential District	
Companion Case(s):	
Development Review Team Recommendation(s)	
Staff recommends approval of the Rezoning request to rezone a parcel of land from General Agricultural District to Medium Density Residential District in conjunction with approval of a Planned Development Designation.	
Project Summary Brief	
<p>The applicant has submitted a Rezoning request to rezone a parcel of land from General Agricultural District to Medium Density Residential District. The subject property is approximately 3.64 acres in size and is currently void of structural development. While Planning staff has noted that the proposed request is in keeping with the character of the existing neighborhood, concerns about the access and associated infrastructure to the property could limit the size and scope of any future development on the lot. As such, to ensure that any future development on the property addresses this constraint, staff recommends that the Rezoning request be approved in conjunction with a Planned Development Designation, requiring the separate review and approval of a Final Planned Development Overlay prior to issuance of a Building Permit. The Final Planned Development application will allow staff to conduct a full review of proposed development on the property prior to issuance of a Building Permit and will provide a forum for public comment regarding any development on the property to ensure that negative externalities are mitigated to the greatest degree possible.</p> <p>The City's Future Land Use Plan currently lists the northern portion of the property as Urban Neighborhood while the southern portion is designated as Low Density Neighborhood. Medium Density Residential District is an identified zoning district within the Urban Neighborhood designation, but is not supported by the Low Density Neighborhood designation. However, Future Land Use Planning Staff met to discuss the application and have indicated that due to the presence of higher intensity residential uses north of the property and its location adjacent to Elk Vale Road, a staff sponsored amendment to the Future Land Use Plan is appropriate to change the Future Land Use Designation from Low Density Neighborhood to Urban Neighborhood for the southern portion of the subject property. Therefore, the requested Rezone will be in compliance with an upcoming City sponsored amendment to the Future Land Use Plan.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Yasmeen Dream, LLC	Planner: John Green
Property Owner: Yasmeen Dream, LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: Dream Design International, Inc.	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett
Subject Property Information	
Address/Location	West of Elk Vale Road at the terminus of Orchard Lane
Neighborhood	Southeast Connector Neighborhood Area
Subdivision	Section 9, T1N, R8E
Land Area	3.64 acres or 158,558 square feet
Existing Buildings	Vacant
Topography	Relatively flat
Access	Orchard Lane
Water Provider	Rapid Valley Sanitary District
Sewer Provider	Rapid Valley Sanitary District
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	100 Year

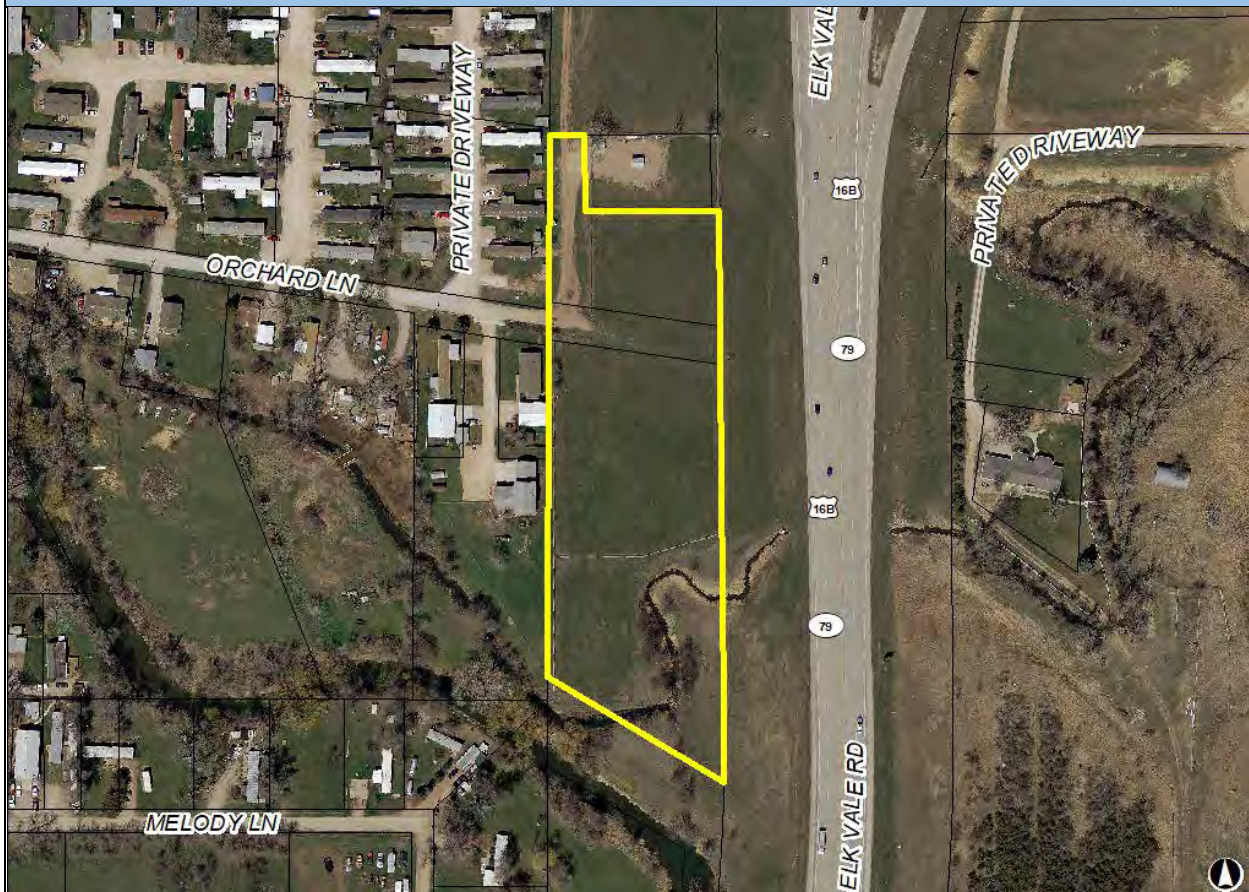
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GA	LDN/UN	Vacant
Adjacent North	GA	UN	Vacant
Adjacent South	FH	LDN	Vacant
Adjacent East	MDR – PD	EC	Vacant
Adjacent West	MHR	LDN	Mobile Home Park

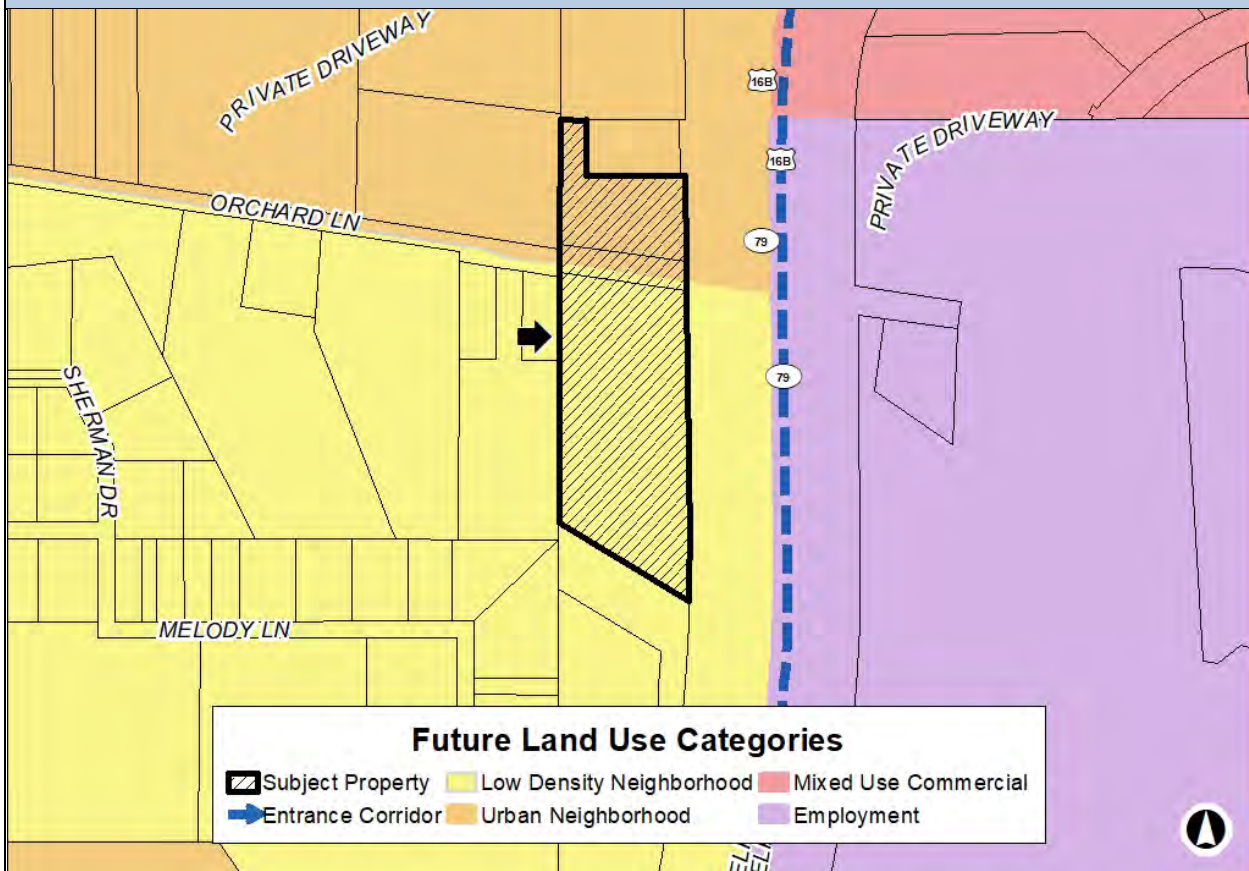
Zoning Map



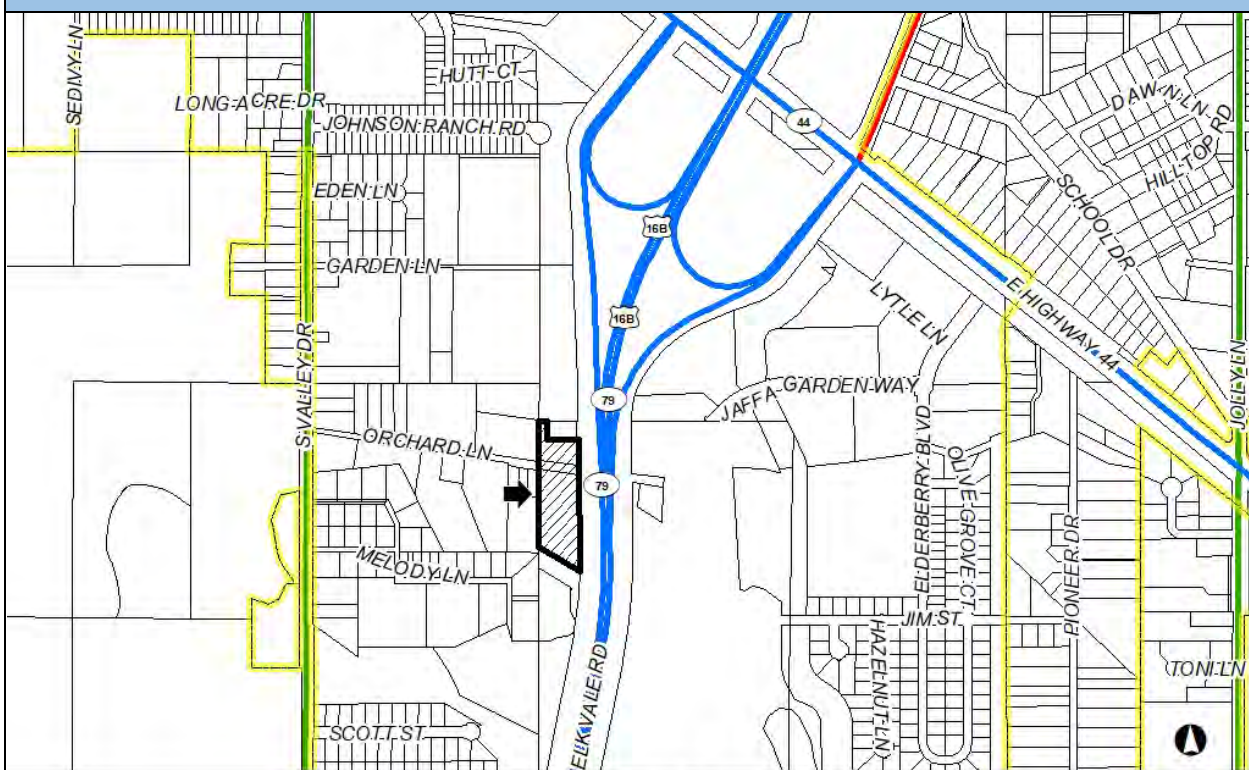
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation 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	3.64 acres or 158,558 square feet	
Lot Frontage / Lot Width	50 feet	N/A	
Maximum Building Heights	2 ½ stories or 35 feet	N/A	
Maximum Density	30%	N/A	
Minimum Building Setback:		N/A	
• Front	25 feet	N/A	
• Rear	25 feet	N/A	
• Side	8 feet / 12 feet	N/A	
• Street Side	25 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	N/A	N/A	
• # 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 17.54.040.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 Rezoning request to rezone a 3.64 acre parcel of land from General Agricultural District to Medium Density Residential District to develop the property for residential uses. Due to the presence of higher intensity residential uses directly north of the subject property and its proximity to Elk Vale Road, Medium Density Residential District is an appropriate zoning designation for the property. While staff does support the Rezoning request, the applicant should be aware that the existing conditions of Orchard Lane may limit the size and scope of development that can occur on the property due to concerns about the existing infrastructure of the roadway. As such, to ensure that any future development on the property addresses this constraint, staff recommends that the Rezoning request be approved in conjunction with a Planned Development Designation, requiring the separate review and approval of a Final Planned Development Overlay prior to issuance of a Building Permit. The Final Planned Development application will allow staff to conduct a full review of proposed development on the property prior to issuance of a Building Permit and will provide a forum for public comment regarding any development on the property to ensure that negative externalities are mitigated to the greatest degree possible.




<p>2. The proposed amendments shall be consistent with the intent and purposes of this title.</p>	<p>The City's Future Land Use Plan currently lists the northern portion of the property as Urban Neighborhood while the southern portion is designated as Low Density Neighborhood. Medium Density Residential District is an identified zoning district within the Urban Neighborhood designation, but is not supported by the Low Density Neighborhood designation. However, Future Land Use Planning Staff met to discuss the application and have indicated that due to the presence of higher intensity residential uses north of the property and its location adjacent to Elk Vale Road, a staff sponsored amendment to the Future Land Use Plan is appropriate to change the Future Land Use Designation from Low Density Neighborhood to Urban Neighborhood for the southern portion of the subject property. Therefore, the requested Rezone will be in compliance with an upcoming City sponsored amendment to the Future Land Use Plan. The requested Rezone is in compliance with the City's Future Land Use Plan.</p>
<p>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.</p>	<p>The proposed Rezoning request is in compliance with the proposed staff sponsored amendments to the City's Future Land Use Plan. The applicant should be aware that a Floodplain Development Permit will be required prior to issuance of a Building Permit for any structural development due to the presence of Federally Designated 100-Year Floodplain on the southeastern portion of the property.</p>
<p>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.</p>	<p>The applicant has submitted a Rezoning request to rezone a 3.64 acre parcel of land from General Agricultural District to Medium Density Residential District to develop the property for residential uses in the future. The proposed Rezone is consistent with the goals and objectives of the City's adopted Comprehensive Plan for the neighborhood and is in compliance with staff sponsored amendments to the Future Land Use Plan.</p>

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

 <p>A Balanced Pattern of Growth</p>	
<p>BPG-1.2A:</p>	<p>Priority Infill Areas: The proposed Rezoning request of the subject property will encourage development of a vacant property near an existing residential neighborhood of the City. Requiring a Final Planned Development Overlay to be approved will ensure that the condition of Orchard Lane is being addressed as part of developing the property.</p>
 <p>A Vibrant, Livable Community</p>	
<p>LC – 2.1A</p>	<p>Targeted Residential Growth Areas: The proposed Rezoning request will encourage future residential growth within the Urban Services Boundary of the City.</p>
 <p>A Safe, Healthy, Inclusive, and Skilled Community</p>	
	<p>N/A</p>
 <p>Efficient Transportation and Infrastructure Systems</p>	

T1-2.1A	Major Street Plan Integration: The subject property is accessed via Orchard Lane, which is classified as a Local Street. The applicant should be aware that the current construction of Orchard Lane does not support higher intensity residential uses in the future on the subject property unless the street is improved or an alternate access is provided.
	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):	Urban Neighborhood
Design Standards:	
SDP-N6	Residential Infill and Redevelopment: The proposed Rezoning request represents infill of a vacant lot near an existing residential neighborhood.
Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Southeast Connector Neighborhood Area
Neighborhood Goal/Policy:	
SEC-NA1.1G	Residential Growth: The proposed Rezoning request will encourage future residential growth in the neighborhood.
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 proposed Rezoning of the property is in keeping with the character of the existing neighborhood. However, the current condition of Orchard Lane limits development of the property until the street is improved or an alternate access is provided. As such, staff recommends approval of the Rezoning request to rezone a parcel of from General Agricultural District to Medium Density Residential District in conjunction with approval of a Planned Development Designation. Securing a Planned Development Designation on the property will require the review and approval of a Final Planned Development Overlay application prior to issuance of a Building Permit. As part of the review, the applicant must address the current condition of Orchard Lane or provide an alternate access.	
Staff Recommendation	
Staff recommends approval of the Rezoning request to rezone a parcel of from General Agricultural District to Medium Density Residential District in conjunction with approval of a Planned Development Designation.	