



Rapid City Planning Commission

Rezoning Project Report

January 21, 2021

Item #3
Applicant Request(s)
Case # 20RZ039 – Rezoning request from General Commercial District to Office Commercial District
Companion Case(s) – N/A

Development Review Team Recommendation(s)
The Development Review Team recommends that the Rezoning request be approved.

Project Summary Brief
<p>The applicant has submitted a Rezoning request to change the zoning designation from General Commercial District to Office Commercial District for two lots totaling 2.69 acres located on the west side of Neel Street in Big Sky Business Park. The adjacent lots to the south and east are zoned Office Commercial District and developed accordingly. Currently, the subject property is void of structural development. The Future Land Use Plan designates this lot and the adjacent lots as Mixed Use Commercial. As such, rezoning the property to Office Commercial District is in compliance with the City's adopted Comprehensive Plan.</p>

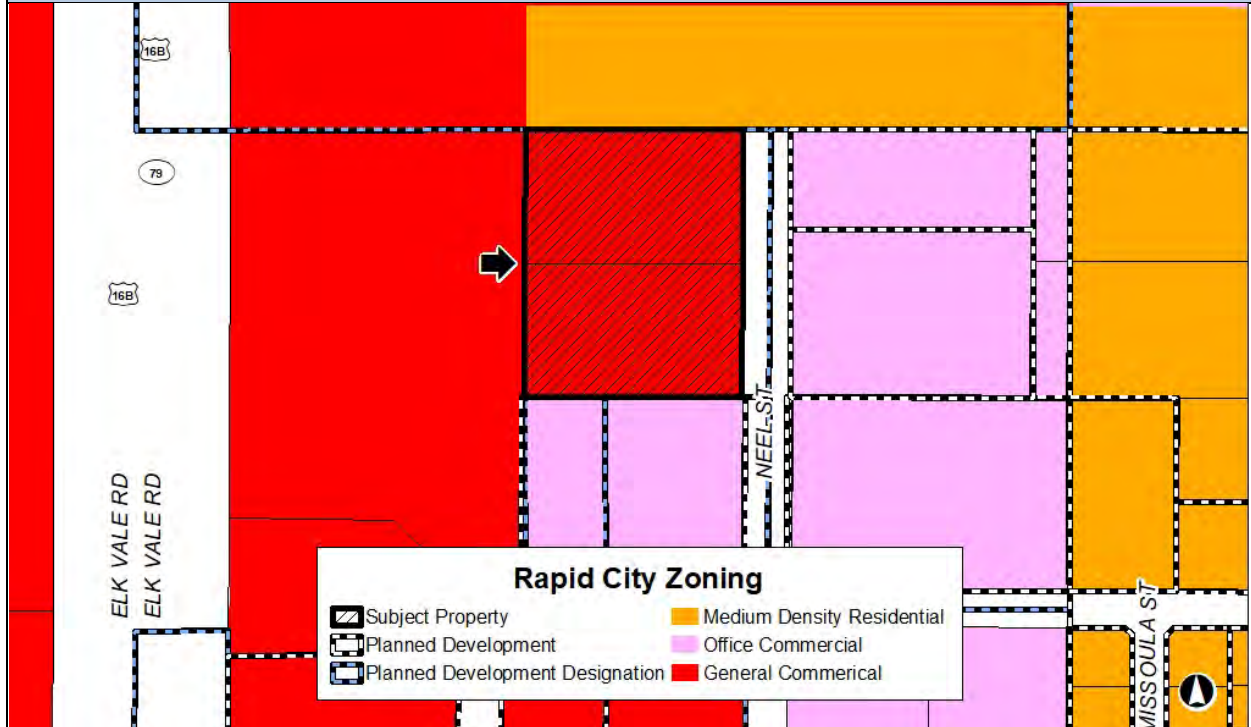
Applicant Information	Development Review Team Contacts
Applicant: Dakota Heartland, Inc.	Planner: Marty Gillies
Property Owner: Dakota Heartland, Inc.	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc.	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	411 & 425 Neel Street
Neighborhood	Elk Vale Neighborhood Area
Subdivision	Big Sky Business Park
Land Area	2.69 acres, or approximately 117,176 square feet
Existing Buildings	Void of structural development
Topography	Relatively level
Access	Neel Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities
Floodplain	N/A

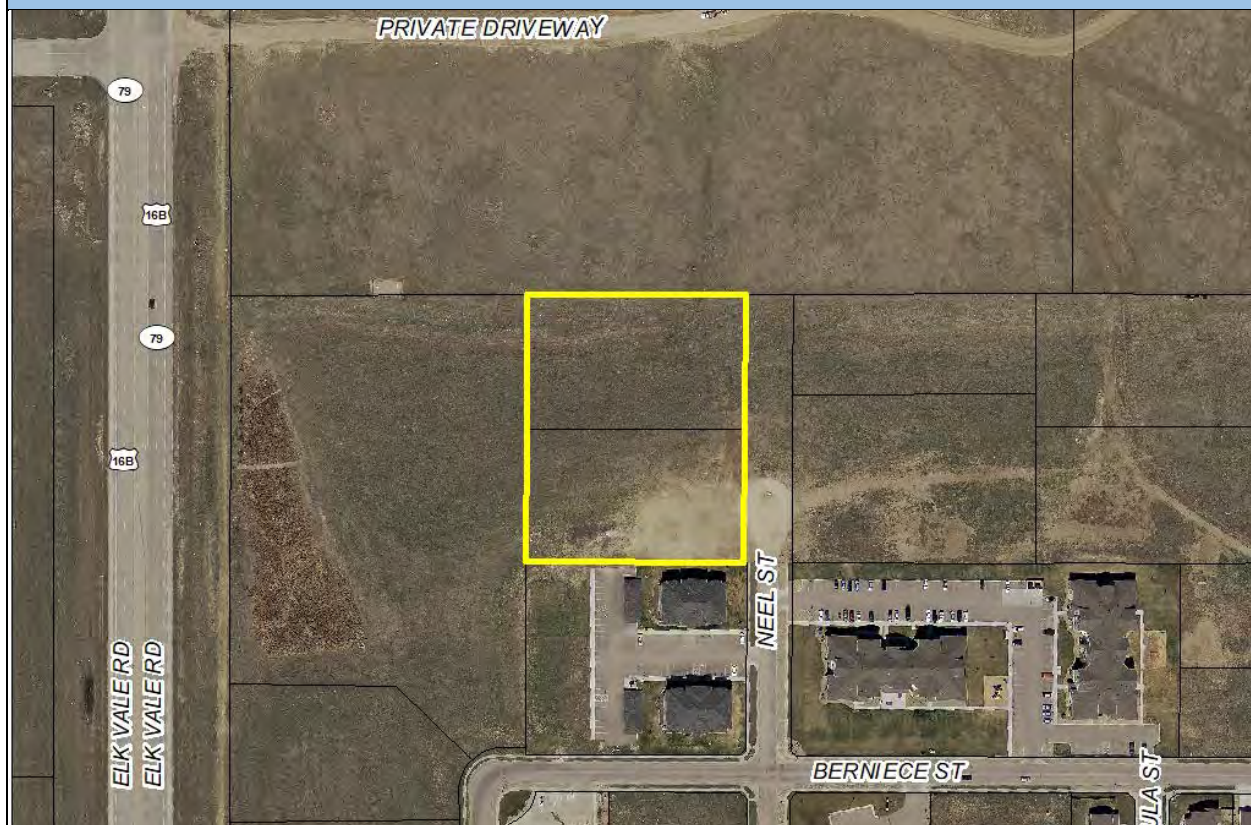
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC	No structural development
Adjacent North	MDR	MUC	No structural development
Adjacent South	OC	MUC	Multifamily housing
Adjacent East	OC	MUC	Multifamily housing
Adjacent West	GC/PD	MUC	No structural development

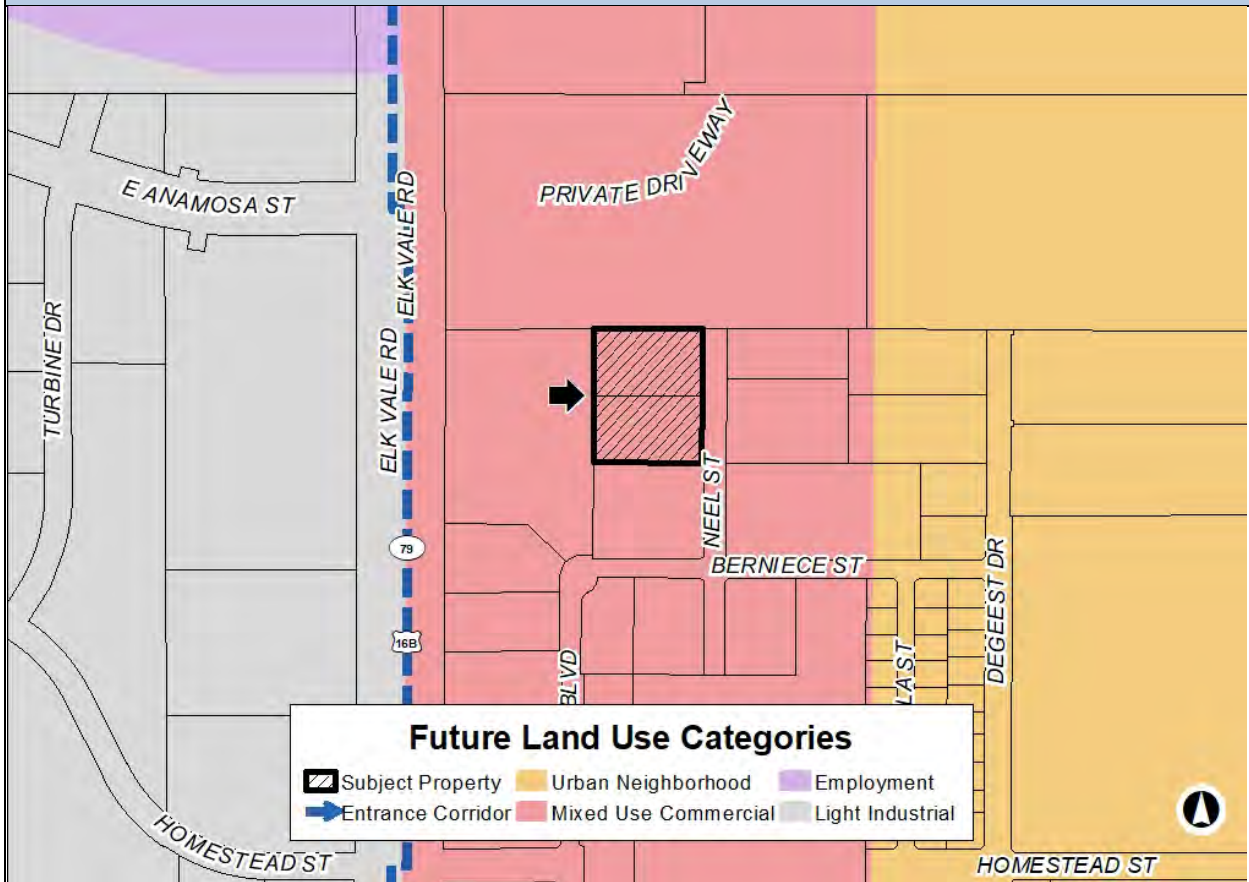
Zoning Map



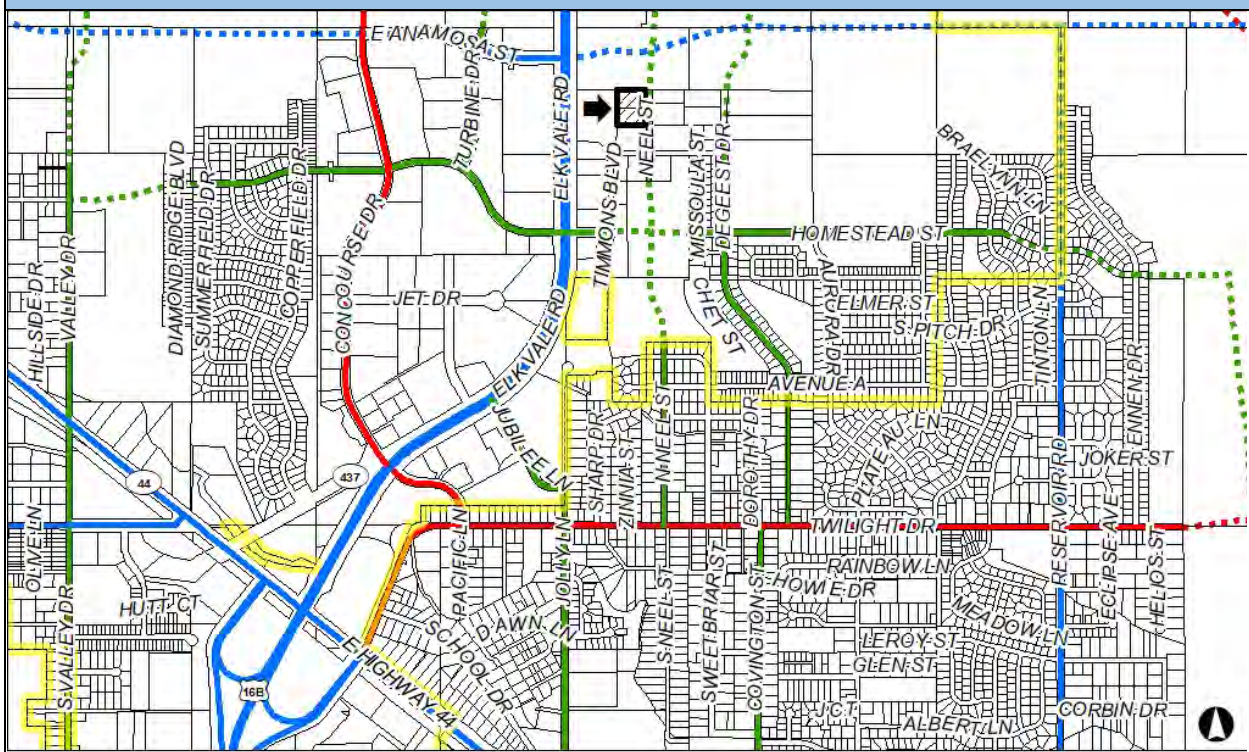
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan

- Subject Property
- Rapid City Limits
- Collector
- Minor arterial
- Principal arterial
- Proposed collector
- Proposed principal arterial
- Proposed minor arterial

Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Office Commercial District	Required	Proposed	
Lot Area	N/A	2.69 acres	
Lot Frontage / Lot Width	N/A	Approximately 390 feet	
Maximum Building Heights	3 stories or 35 feet	N/A	
Maximum Density	35%	N/A	
Minimum Building Setback:			
• Front	25 feet	N/A	
• Rear	25 feet	N/A	
• Side	25 feet	N/A	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:	As per RCMC 17.50.300		
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:	As per RCMC 17.50.270		
• # 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 subject properties are two parcels of land zoned General Commercial District approximately 2.69 acres in size. The property is currently void of any structural development.
2. The proposed amendments shall be consistent with the intent and purposes of this title.	The future land use designation of these properties is Mixed-Use Commercial. The Mixed-Use Commercial designation identifies professional offices and higher density residential as primary and secondary uses. The Office Commercial District allows both uses. In addition, the proposed Rezoning request will create a buffer between properties zoned General Commercial to the west and existing residential properties to the east, north, and south.
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 properties are located along Neel Street. The proposed Rezoning is consistent with the surrounding land uses, as the adjacent properties to the east and south are zoned Office Commercial and are currently developed with multi-family housing complexes. 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	The future land use designation of the properties in question is Mixed-Use Commercial. The proposed

conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan and others.	Rezoning from General Commercial District to Office Commercial District is in compliance with the Comprehensive Plan and does not conflict with the development plan(s) of Rapid City.
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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-3.1A	Balanced Uses: The proposed Rezoning request supports a balanced mix of commercial and residential uses in this area, with a healthy variety of housing options available among the residential uses.
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 **A Vibrant, Livable Community**

LC-3.1E	Buffers and Transitions: The proposed Rezoning request from General Commercial District to Office Commercial District will create a transitional use between the remaining General Commercial District to the west and the growing residential neighborhood to the east. Rezoning the property as requested will support the growth of this neighborhood as a well-integrated and appropriately dense part of our community. As such, staff recommends that the Rezoning request be approved.
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 **A Safe, Healthy, Inclusive, and Skilled Community**

	N/A
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 **Efficient Transportation and Infrastructure Systems**

T1-2.1A	Major Street Plan Integration: Access to the property is from Neel Street. The applicant should be aware that depending on the proposed use of the property, a Traffic Impact Study may be required. The applicant should also be aware that any required improvements are the responsibility of the developer.
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 **Economic Stability and Growth**

	N/A
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 **Outstanding Recreational and Cultural Opportunities**

	N/A
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 **Responsive, Accessible, and Effective Governance**

GOV-2.1A	The proposed Rezoning request requires that public notice be advertized 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.
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Comprehensive Plan Conformance – Growth and Reinvestment Chapter

Future Land Use Plan Designation(s):	Mixed Use Commercial
Design Standards:	
GDP-MU8	Relationship to Surrounding Neighborhoods: The proposed Rezoning request will establish a transitional area between a growing residential neighborhood to the east and the commercial corridor located to the west, along Elk Vale Road.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Elk Vale Neighborhood Area
Neighborhood Goal/Policy:	
EV-NA1.1A	Residential Growth: This Rezoning request supports expansion and development of new residential neighborhoods in the Elk Vale Neighborhood Area, ultimately contributing to the effort to establish the Elk Vale Neighborhood Area as one of the City’s high-priority urban growth areas.

Findings	
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:	
•	Staff has reviewed the Rezoning request criteria pursuant to the appropriate chapters of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The proposed Rezoning request is in compliance with the Comprehensive Plan goals of creating mixed-use areas of the City as well as establishing buffers and transitions between residential and commercial uses.

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