



Rapid City Planning Commission

Rezoning Project Report

February 18, 2021

Item #10
Applicant Request(s)
Case #21RZ008 – Rezoning request from Office Commercial District to Medium Density Residential District
Companion Case(s): #21PL007 – Preliminary Subdivision Plan to create 14 lots

Development Review Team Recommendation(s)
Staff recommends to deny the Rezoning request.

Project Summary Brief
<p>The applicant has submitted a Rezoning request to change the zoning designation from Office Commercial District to Medium Density Residential District for a piece of land approximately 5.31 acres in size. The applicant has also submitted a Preliminary Subdivision Plan (File #21PL007) to create 13 single-family lots and a drainage lot.</p> <p>The property is located at 7223 Healing Way and is currently void of any structural development.</p>

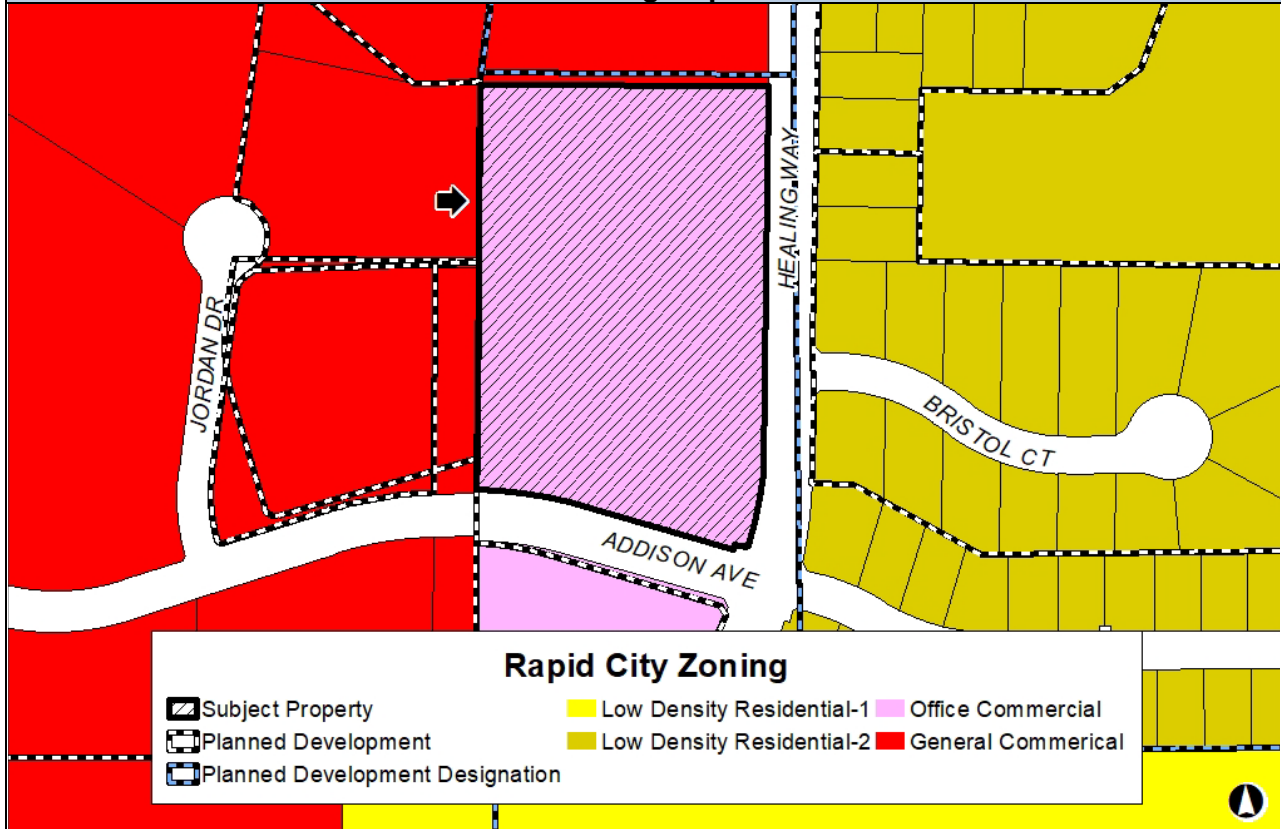
Applicant Information	Development Review Team Contacts
Applicant: Buffalo East, LLC	Planner: Fletcher Lacock
Property Owner: Buffalo East, LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc.	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	7223 Healing Way
Neighborhood	U.S. Highway 16 Neighborhood Area
Subdivision	Buffalo Crossing Subdivision
Land Area	5.31 acres
Existing Buildings	Void of structural development
Topography	Rises in elevation from east to west approximately 32 feet
Access	Addison Avenue
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	BHP / MDU
Floodplain	N/A

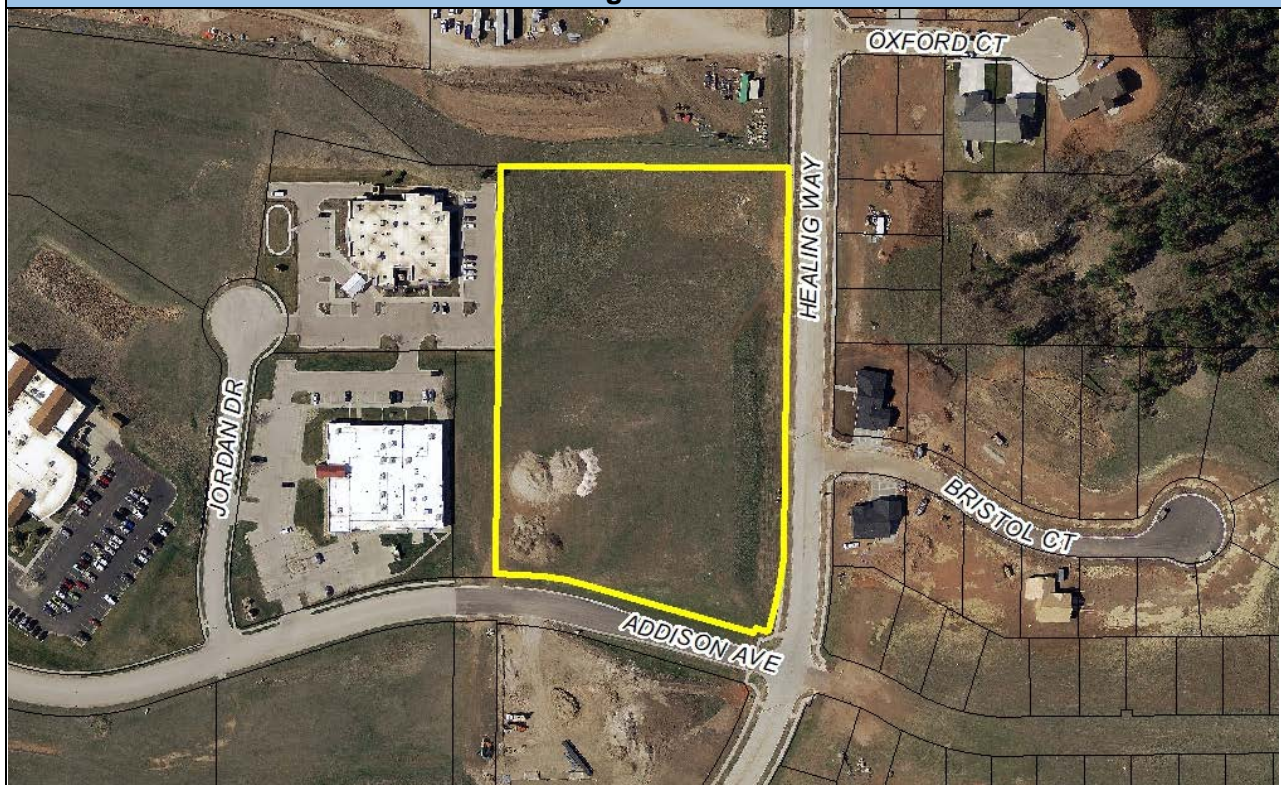
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	OC w/PDD	MUC	Void of structural development
Adjacent North	GC w/PDD	MUC	Void of structural development
Adjacent South	OC w/PD	MUC	Office building
Adjacent East	LDR-II w/PD	UN	Single-family dwellings
Adjacent West	GC w/PD	MUC	Medical office

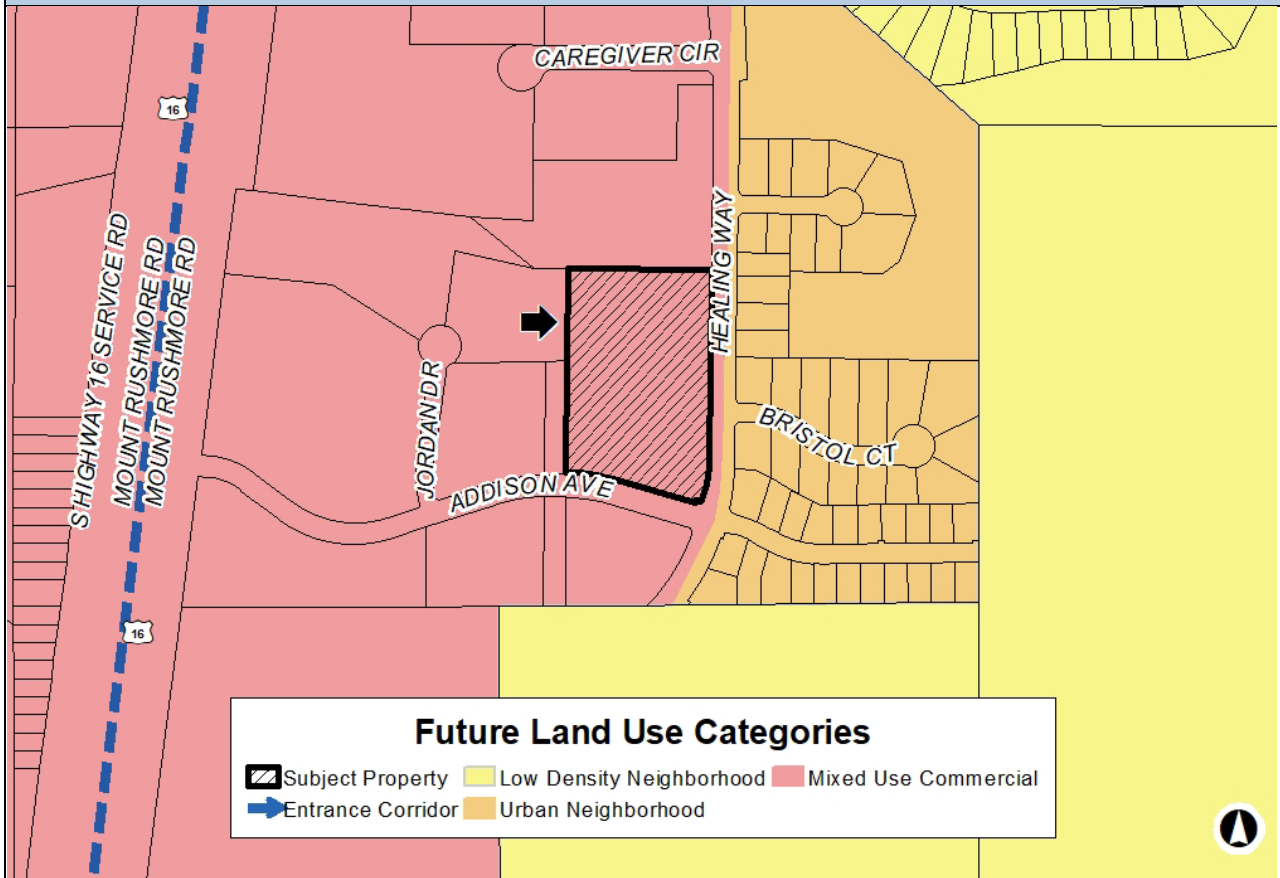
Zoning Map



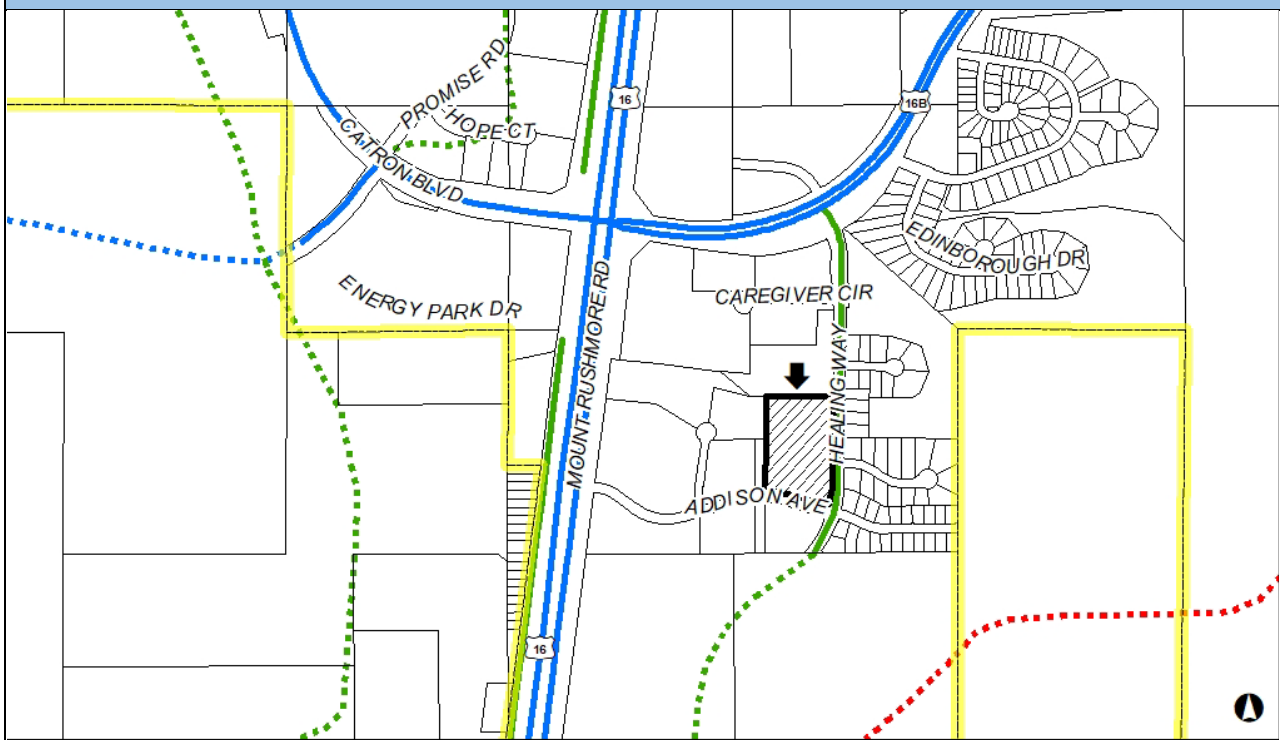
Existing Land Uses



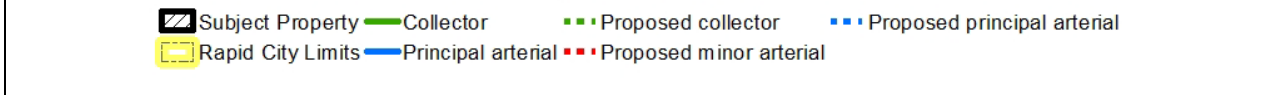
Comprehensive Plan Future Land Use



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	6,877 to 48,527 square feet	
Lot Frontage / Lot Width	25 feet	N/A	
Maximum Building Heights	2½ stories or 35 feet	N/A	
Maximum Density	30%	N/A	
Minimum Building Setback:			
• Front	20 or 25 feet	N/A	
• Rear	25 feet	N/A	
• Side	8 or 12 feet	N/A	
• Street Side	20 or 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.	<p>The west side of Healing Way is developing as a corridor of higher intensity commercial development adjacent to Mount Rushmore Road. The east side of Healing Way has also seen the development of lower intensity residential development including single-family dwellings and townhomes.</p> <p>Healing Way is identified as a Collector Street on the City's Major Street Plan and serves as a division between higher intensity commercial development to the west and lower intensity residential development to the east. The current zoning designation of Office Commercial District supports either professional offices, medical facilities, or apartments and serves as a buffer between the higher intensity commercial development along Mount Rushmore Road and the low density residential development located east of Healing Way.</p>
2. The proposed amendments shall be consistent with the intent and purposes of this title.	<p>The Future Land Use Plan identifies the property as suitable for Mixed-Use Commercial development. The Office Commercial District is an appropriate zoning designation. Healing Way is identified as a Collector Street on the City's Major Street Plan. Properties on the east side of Healing Way are developed with single-family and two-unit townhomes and identified as suitable for Urban Neighborhood development. Properties on the west side of</p>



	<p>Healing Way are developed with higher intensity commercial development. The current zoning of the property would allow an apartment development on the subject property.</p> <p>The Office Commercial District was recently amended to remove single-family dwellings and two-unit townhomes as permitted uses. The intent of the amendment was to prevent Rezoning requests to Office Commercial District with the intent of developing the land with low density residential uses. The subject property was not identified as requiring a Rezoning as it complied with the Future Land Use Plan designation of Mixed-Use Commercial. The property could be developed with professional offices, medical offices, or apartment development and comply with the Future Land Use Plan.</p> <p>Rezoning the property from Office Commercial District to Medium Density Residential District for single-family development is not in compliance with the Comprehensive Plan. The Rezoning and associated Preliminary Subdivision Plan will allow low density residential development to encroach into a developing commercial corridor and may create conflict as the corridor continues to develop. The development of low density residential also conflicts with the Comprehensive Plan which supports a mix of housing types in developing neighborhoods to create livable neighborhoods open to all members of the City. The current zoning would allow for an apartment development to be constructed on the property. Creating a 13-lot single-family residential development eliminates a diversity of housing needed within this area.</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 property is located adjacent to Healing Way which is identified as a Collector Street on the City's Major Street Plan. The Future Land Use Plan identifies properties located east of Healing Way as appropriate for low intensity residential development. Land located on the west side of Healing Way adjacent to Mount Rushmore Road is identified as appropriate for Mixed-Use Commercial development which includes higher intensity commercial development, professional and medical offices, and higher intensity residential apartment buildings. The proposed Rezoning and associated Preliminary Subdivision Plan to create 13 single-family residential lots may create land use conflicts as the commercial corridor continues to develop. Conflict may arise when proposed uses in the commercial corridor develop and will require additional setbacks, screening, and buffering which is currently provided by Healing Way. The proposed Rezoning and associated Preliminary Subdivision Plan is also in conflict with the adopted Comprehensive Plan which supports providing a mix of housing types in developing areas of the City. More specifically, the existing zoning will allow an apartment development on the subject property. Rezoning and platting the property as proposed eliminates this option.</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>Healing Way is identified as a Collector Street on the City's Major Street Plan. The Future Land Use Plan identifies Healing Way as the division between Urban Neighborhood and Mixed-Use Commercial development. The street right-of-way provides a physical separation between the single-family development and the noise, light, traffic and other impacts typical of a commercial development. The Buffalo Crossing Subdivision has developed in compliance with the Comprehensive Plan with lower intensity residential development on the east side and higher intensity commercial development on the west side of Healing Way. The proposed Rezoning and associated Preliminary Subdivision Plan is not in compliance with the adopted Comprehensive Plan. The development of single-family homes on the west side of Healing Way conflicts with the Comprehensive Plan and the goal of promoting a mix of housing types in developing neighborhoods.</p> <p>The Office Commercial District allows office / medical uses and high density residential development to serve as a buffer between the higher intensity commercial uses adjacent to Mount Rushmore Road and the lower intensity residential development along the east side of Healing Way. Staff recommends that the Rezoning request be denied as the current zoning of Office Commercial District is the appropriate zoning designation pursuant to the Mixed-Use Commercial designation.</p>
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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	
 <p align="center">A Balanced Pattern of Growth</p>	
<p>BPG-3.1A</p>	<p>Balanced Uses: The Comprehensive Plan promotes a balanced mix of land uses throughout the community. The proposed Rezoning request removes the ability to develop higher intensity residential development in a developing neighborhood. Rezoning the property as proposed and platting the property to create single-family lots limits the balance of uses and promotes only low density residential development in conflict with the Comprehensive Plan.</p>
<p>BPG-3.2A</p>	<p>Mix of Housing Types: The Comprehensive Plan supports a mix of housing types. The current zoning would allow for an apartment development to be constructed on the property. Creating a 13-lot single-family residential development eliminates a diversity of housing needed within this area.</p>
<p>BPG-3.2B</p>	<p>Housing to Enhance Vibrancy: The proposed Rezoning request and associated Preliminary Subdivision Plan does not promote a range of housing types and does not support the goal of creating vibrant mixed-use neighborhoods.</p>
 <p align="center">A Vibrant, Livable Community</p>	
<p>LC-1.1E</p>	<p>Context-Sensitive Design: The Comprehensive Plan supports development that is compatible with adjacent buildings and the context of the neighborhood. The proposed Rezoning and associated Preliminary Subdivision Plan conflicts with the Future Land Use Plan designation of Mixed-Use Commercial. The current</p>

	zoning of Office Commercial District complies with the Comprehensive Plan and would allow the property to be developed with a more suitable professional / medical office building or an apartment building.
LC-2.1C	Variety of Housing Types: The Comprehensive Plan encourages new neighborhoods to contain a mix of housing types. The Comprehensive Plan also supports the location of higher intensity uses near arterial and collector streets. As such, the Future Land Use Plan identifies that the west side of Healing Way is appropriate for Mixed-Use Commercial development as it abuts Mount Rushmore Road and Healing Way which are identified; respectively, as an Arterial Street and a Collector Street on the City's Major Street Plan. The proposed Rezoning request and associated Preliminary Subdivision Plan is in conflict with the adopted Comprehensive Plan.
LC-3.1E	Buffers and Transitions: The Comprehensive Plan recommends having buffers and transitions between higher intensity commercial development and lower intensity residential development. The Office Commercial District serves as a buffer district which allows less intensive office / medical uses or higher density residential use; creating a transition and buffer between land uses. Healing Way, a Collector Street on the City's Major Street Plan, also serves as a buffer.
	A Safe, Healthy, Inclusive, and Skilled Community
SHIS-3.3C	Nearby Housing: This goal encourages the development of a mix of housing in close proximity to health facilities. The proposed Rezoning and associated Preliminary Subdivision Plan does not encourage a mix of housing in the corridor.
	Efficient Transportation and Infrastructure Systems
T1-2.1A	Major Street Plan Integration: This goal encourages the integration of the Major Street Plan into land use planning and development review in order to ensure the development and maintenance of a complete roadway network. Healing Way is identified as a Collector Street on the City's Major Street Plan and serves as a dividing line between commercial development on the west side and low intensity residential development on the east side of Healing Way.
	Economic Stability and Growth
EC-1.2A	Housing Stock: This goal encourages the development of a diverse set of housing types. Rezoning the property and platting the property into a single-family residential development removes the ability to develop a diverse housing stock in a developing corridor.
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: 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 Rezone 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):	Mixed-Use Commercial

Design Standards:	
GDP-MU8	Relationship to Surrounding Neighborhoods: As previously noted, the City's Future Land Use Plan identifies the appropriate use of the property as Mixed-Use Commercial. The proposed Rezoning and associated Preliminary Subdivision Plan is in conflict with the Comprehensive Plan and would not be compatible development. The Office Commercial District provides a natural transition and Healing Way is a dividing line between higher intensity commercial development and low density residential development east of Healing Way.
Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	U.S. Highway 16 Neighborhood Area
Neighborhood Goal/Policy:	
US16-NA1.1B	Mixed-Use Development: The Comprehensive Plan encourages mixed-use development including a variety of housing types, transitions in intensity of uses, and creating buffers between higher intensity commercial uses and low density residential development. The proposed Rezoning and associated Preliminary Subdivision Plan conflicts with the Comprehensive and Future Land Use Plan by limiting residential development to single-family homes and potentially creating conflict in a developing commercial corridor along Mount Rushmore Road.

Findings	
<p>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 applicant has submitted a Rezoning request from Office Commercial District to Medium Density Residential District and an associated Preliminary Subdivision Plan to create 13 single-family residential lots and one drainage lot. The proposed requests are not in compliance with the goals or vision of the adopted Comprehensive Plan. The Future Land Use Plan identifies the property as suitable for Mixed-Use Commercial development promoting a higher density residential or office uses. Healing Way serves as a division between higher intensity commercial development adjacent to Mount Rushmore Road and lower intensity residential development east of Healing Way. The existing zoning, Office Commercial District, serves as a transitional area allowing professional and medical offices or apartment development which creates a buffer for the low intensity residential development east of Healing Way. The Comprehensive Plan supports a mix of housing types and mixed-use development. The proposed Rezoning and associated Preliminary Subdivision Plan limits the potential for creating a diverse housing stock and may potentially create conflict with future commercial growth in the corridor. For these reasons, staff recommends to deny the Rezoning request to Medium Density Residential District.</p>	

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