



# Rapid City Planning Commission

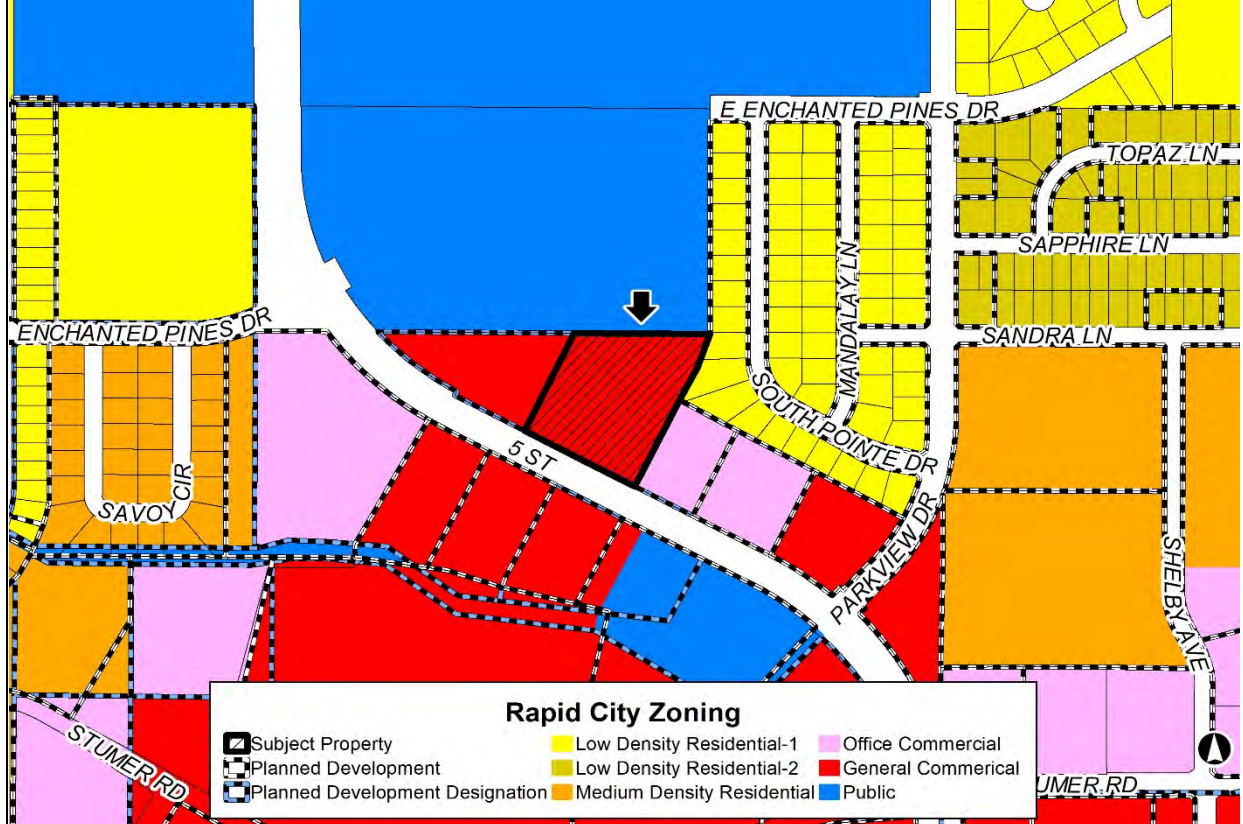
## Rezoning Project Report

January 5, 2023

Applicant Request(s)		Item #10	
Case: #22RZ020: Rezoning Request from General Commercial District to Office Commercial District			
Companion Case(s): #22PD053			
Development Review Team Recommendation(s)			
Staff recommends approval of the Rezoning request from General Commercial District to Office Commercial District			
Project Summary Brief			
<p>The applicant has submitted a Rezoning request to change the zoning designation for a portion of 4908 5<sup>th</sup> Street from General Commercial District to Office Commercial District. The Future Land Use Designation is Employment and the Office Commercial District is listed as a primary zoning district within this designation. This request was submitted in conjunction with an Initial Planned Development Overlay (#22PD053) to allow a mixed-use development on the property. The applicant is proposing to subdivide the 5.32-acre parcel into two lots that will be 2.02 acres and 3.3 acres in size. This request is to rezone the proposed 3.3-acre lot known as Lot 4B and is intended to accommodate an apartment building. Residential on the ground floor is prohibited in the current zoning district necessitating the rezone.</p> <p>On June 6, 2022, City Council approved a Rezone request (#22RZ005) to change the zoning designation of the subject property from Low Density Residential District 1 to General Commercial District in conjunction with a Planned Development Designation. The Planned Development Designation requires that a Final Planned Development Overlay be approved prior to the issuance of a Building Permit for any development on this parcel.</p>			
Applicant Information		Development Review Contacts	
Applicant:	Gustafson Builders	Planner:	Tanner Halonen
Property Owner:	Fifth Park LLC	Engineer:	Dan Kools
Project Planner:	FMG Engineering	Fire District:	Chip Premus
Architect:	N/A	School District:	Kumar Veluswamy
Engineer:	N/A	Water/Sewer:	Dan Kools
Surveyor:	FMG Engineering	DOT:	Mike Carlson
Subject Property Information			
Address/Location	4908 5 <sup>th</sup> Street		
Neighborhood	South Robbinsdale		
Subdivision	5 <sup>th</sup> Street Office Plaza		
Land Area	5.32 acres		
Existing Buildings	Vacant		
Topography	Varies		
Access	5 <sup>th</sup> Street		
Water Provider	Rapid City		
Sewer Provider	Rapid City		
Electric/Gas Provider	BHE/MDU		
Floodplain	N/A		
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC - PDD	EC	Vacant
Adjacent North	P	PG	Vacant
Adjacent South	GC - PD	MUC	Strip malls

Adjacent East	LDR-1 – PD OC - PD	LDN EC	Single-family dwellings Vacant
Adjacent West	OC - PD	EC	Multi-family dwellings

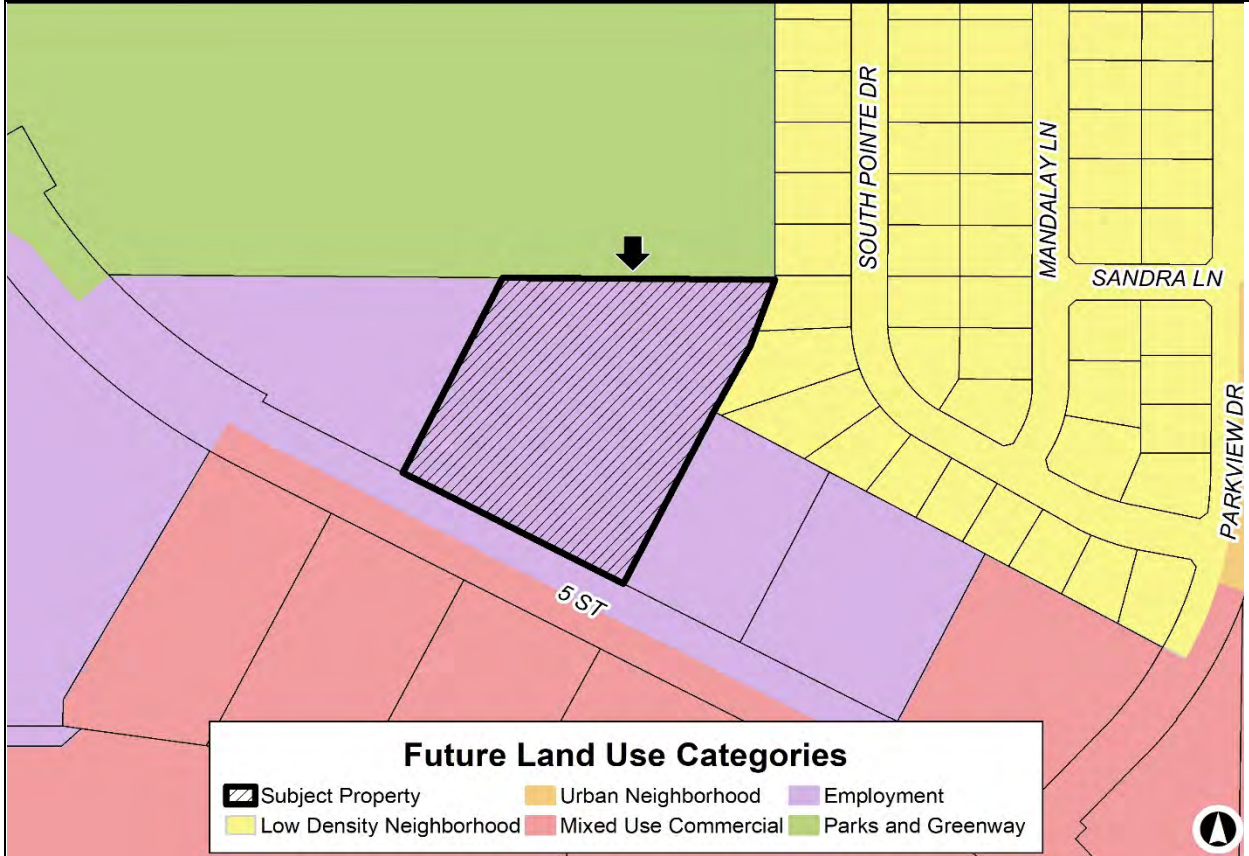
**Zoning Map**



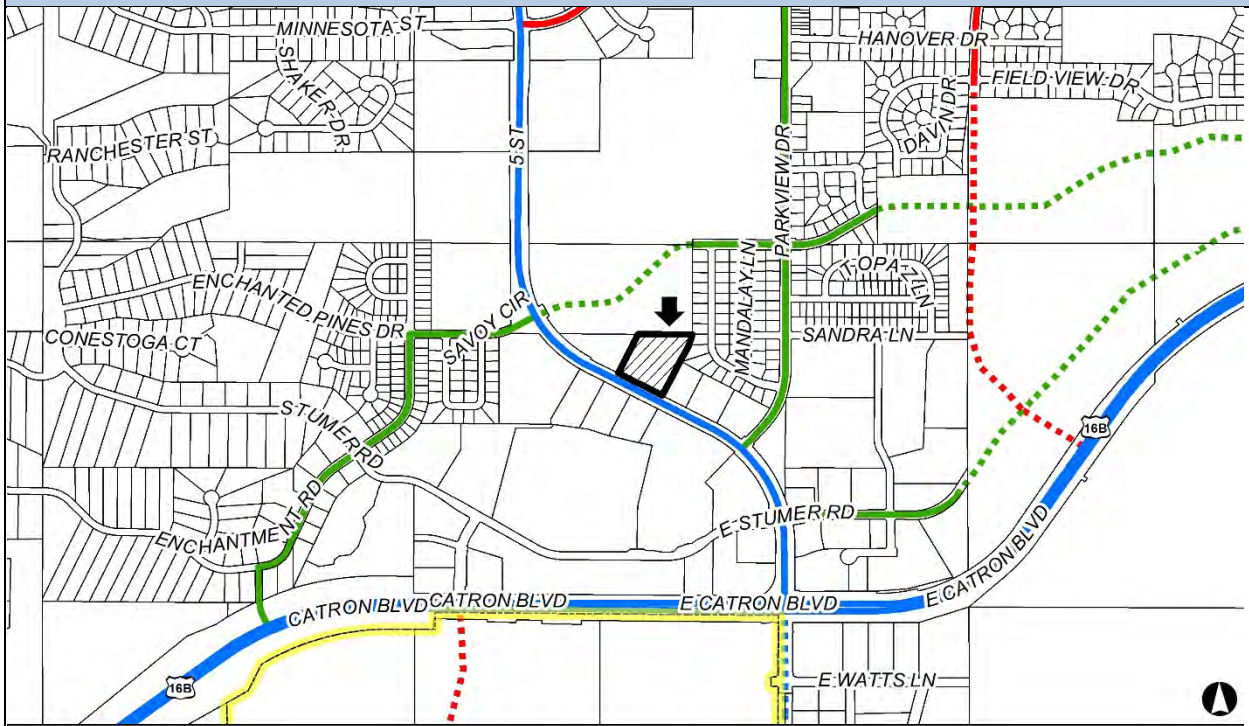
**Existing Land Uses**



### Comprehensive Plan Future Land Use



### Parks or Transportation Plan



### Major Street Plan








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

<b>Relevant Case History</b>			
<b>Case/File#</b>	<b>Date</b>	<b>Request</b>	<b>Action</b>
22PD053	Ongoing	Initial Planned Development to allow a mixed-use development	Ongoing
22RZ005	06/06/2022	Rezoning request from Low Density Residential District 1 to General Commercial District	Approved
<b>Relevant Zoning District Regulations</b>			
<b>Office Commercial District</b>		<b>Required</b>	<b>Proposed</b>
Lot Area		As per RCMC 17.40.040	N/A
Lot Frontage		As per RCMC 17.40.040	N/A
Maximum Building Heights		3 stories or 35 feet	N/A
Maximum Density		As per RCMC 17.40.040	N/A
Minimum Building Setback:			
• S Front		25 feet	N/A
• N Side		As per RCMC 17.40.040	N/A
• E Side		As per RCMC 17.40.040	N/A
• W Side		As per RCMC 17.40.040	N/A
• NE Rear		25 feet	N/A
Minimum Landscape Requirements:			
• # of landscape points		As per RCMC 17.50.300	N/A
• # of landscape islands		As per RCMC 17.50.300	N/A
Minimum Parking Requirements:			
• # of parking spaces		As per RCMC 17.50.270	N/A
• # of ADA spaces		As per RCMC 17.50.270	N/A
Signage		As per RCMC 17.50.080	N/A
Fencing		As per RCMC 17.18.080	N/A

<b>Planning Commission Criteria and Findings for Approval or Denial</b>	
<b>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:</b>	
<b>Criteria</b>	<b>Findings</b>
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 rezoning request is intended to allow an apartment development on the property. In 2021 a Final Planned Development was approved to allow a 165-unit apartment complex on the west side of 5 <sup>th</sup> Street. Commercial and high-density residential development has continued to expand along the 5 <sup>th</sup> Street corridor which has changed the character of the neighborhood. The amendment is necessary because of the changing conditions of the area.
2. The proposed amendments shall be consistent with the intent and purposes of this title.	The Future Land Use designation of the property is Employment and the Office Commercial District is listed as a primary zoning district within this designation. The proposed amendment is consistent with the intent and purpose of this title.
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 in the vicinity along 5 <sup>th</sup> Street are primarily zoned Office Commercial District and General Commercial District. The rezoning application is consistent with the existing development pattern of this area. The property is accessed by 5 <sup>th</sup> Street which is classified as a Principal Arterial Street on the City's Major Street Plan which is constructed to accommodate traffic generated by high-density residential development. A Final Planned Development Overlay is required prior to the issuance of a

	Building Permit for any development on the parcel. Review of a Final Planned Development will serve to ensure that potential impacts on the neighborhood are mitigated to the highest degree possible.
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 Office Commercial District is listed as a primary zoning district within the Future Land Use designation of Employment. The rezoning is intended to accommodate an apartment building as part of a mixed-use development. The Comprehensive Plan encourages a range of housing types and densities throughout the community, supports locating multi-family housing near arterial streets, and encourages new residential development in the South Robbinsdale Neighborhood. The rezoning request is consistent with the goals and objectives of the City's Comprehensive Plan.

**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:**

<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
	<b>A Balanced Pattern of Growth</b>
BPG-3.2A:	Mix of Housing Types: The rezoning application is intended to accommodate an apartment building which supports the goal of encouraging a range of housing types and densities throughout the community to satisfy current demand and future needs.
	<b>A Vibrant, Livable Community</b>
LC-2.1C:	Variety of Housing Types: The rezoning is intended to accommodate multi-family housing and supports the goal of locating multi-family housing near collector and arterial streets.
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
N/A	N/A
	<b>Efficient Transportation and Infrastructure Systems</b>
T1-2.1A	Major Street Plan Integration: The property is accessed by 5 <sup>th</sup> Street which is classified as a Principal Arterial Street on the City's Major Street Plan. The property is located along Coolidge South 5 <sup>th</sup> Street and Coolidge South Fairmont Rapid Ride routes.
	<b>Economic Stability and Growth</b>
N/A	N/A
	<b>Outstanding Recreational and Cultural Opportunities</b>
N/A	
	<b>Responsive, Accessible, and Effective Governance</b>

GOV-2.1A	Public Input Opportunities: The proposed Rezoning 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.
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<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
<b>Future Land Use Plan Designation(s):</b>	<b>Employment</b>
<b>Design Standards:</b>	
N/A	Design standards are not reviewed during the rezoning process.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	<b>South Robbinsdale</b>
<b>Neighborhood Goal/Policy:</b>	
SR-NA1.1A	Residential Growth: The requested rezoning supports the goal of promoting new residential development within this neighborhood area.

<b>The Development Review Team recommends approving the request to rezone the property from General Commercial District to Office Commercial District for the following reasons:</b>	
•	The rezoning application is necessary to accommodate an apartment building as part of a mixed-use development.
•	The property is located along a Principal Arterial Street which is suited to accommodate traffic from high-density residential development.
•	The proposed amendment is compatible with the character of the surrounding properties and meets the objectives outlined in the Comprehensive Plan.
•	A review of the criteria listed in 17.54.040.D has not identified any adverse impacts associated with the rezoning of these properties.
•	The approved Planned Development Designation will serve as a tool to mitigate potential impacts from future use of the property.

<b>Planning Commission Recommendation and Stipulations of Approval</b>
Staff recommends that the Rezoning Request from General Commercial District to Office Commercial District be approved.