



Rapid City Planning Commission

Rezoning Project Report

May 4, 2017

Item #2
Applicant Request(s)
Case # 17RZ013 – Rezoning request from Office Commercial District to General Commercial District
Companion Case(s) N/A

Development Review Team Recommendation(s)
The Development Review Team recommends that the Rezoning request be approved in conjunction with a Planned Development Designation.

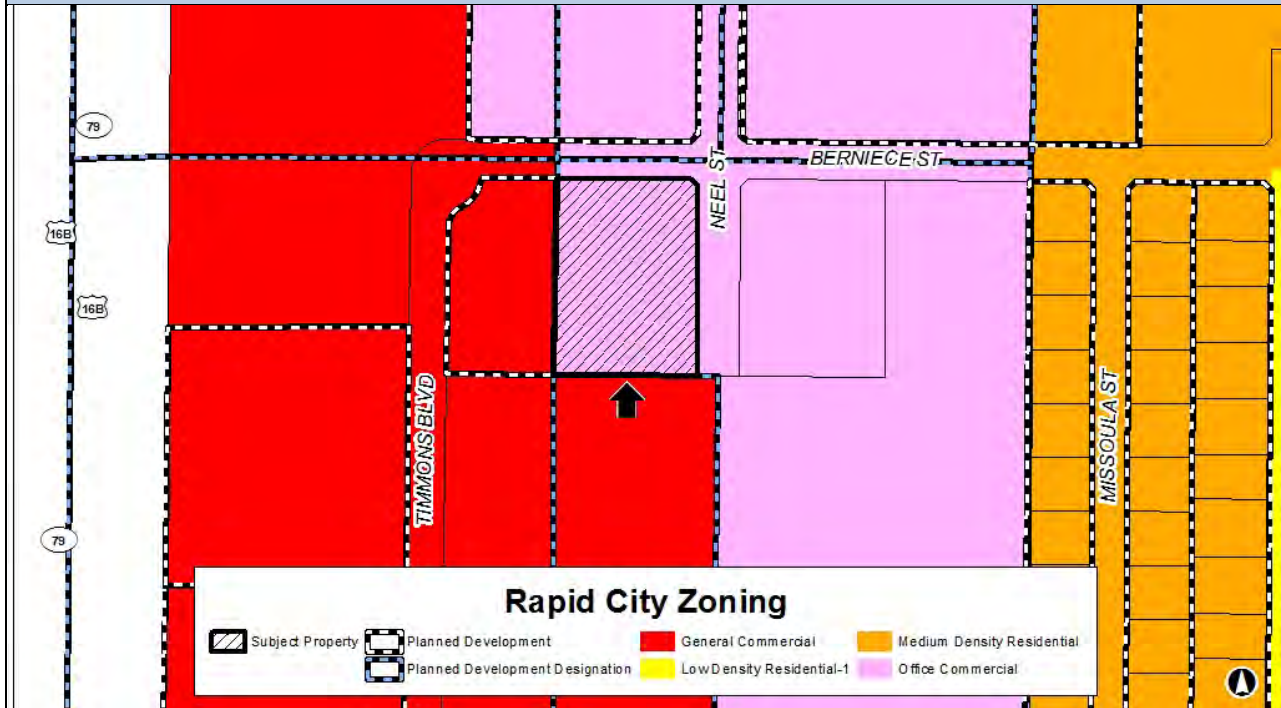
Project Summary Brief	
<p>(Update April 27, 2017. All revised and/or added text is shown in bold.) This item was continued from the April 20, 2017 Planning Commission meeting due to a publication error. The Rezoning notification has been published in the Rapid City Journal on April 27, 2017. If the second notification is not published on May 3, 2017, then staff will bring that to the attention of the Planning Commission. A Planned Development Designation (File #17PD016) application was approved on April 18, 2017. Staff recommends that the Rezoning request be approved in conjunction with the associated Planned Development Designation. Please note that no other part of this report has been changed. The applicant has submitted a Rezoning request to change the zoning designation from Office Commercial District to General Commercial District for a parcel of land approximately 1.26 acres in size. The property is currently void of any structural development.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Penny Lind	Planner: Fletcher Lacock
Property Owner: Equity Diversified Properties LLC	Engineer: Ted Johnson
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Ted Johnson
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Southwest corner of the intersection of Berniece Street and Neel Street
Neighborhood	Elk Vale Road
Subdivision	Big Sky Business Park
Land Area	1.26 acres
Existing Buildings	N/A
Topography	Rises in elevation from the southwest to the northeast approximately 18 feet
Access	Neal Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	West River Electric Association
Floodplain	N/A

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	OC	UN	Void of structural development
Adjacent North	OC-PD	UN	Apartment complex
Adjacent South	GC-PDD	UN	Void of structural development
Adjacent East	OC	UN	Dental office
Adjacent West	GC-PD	UN	Car wash

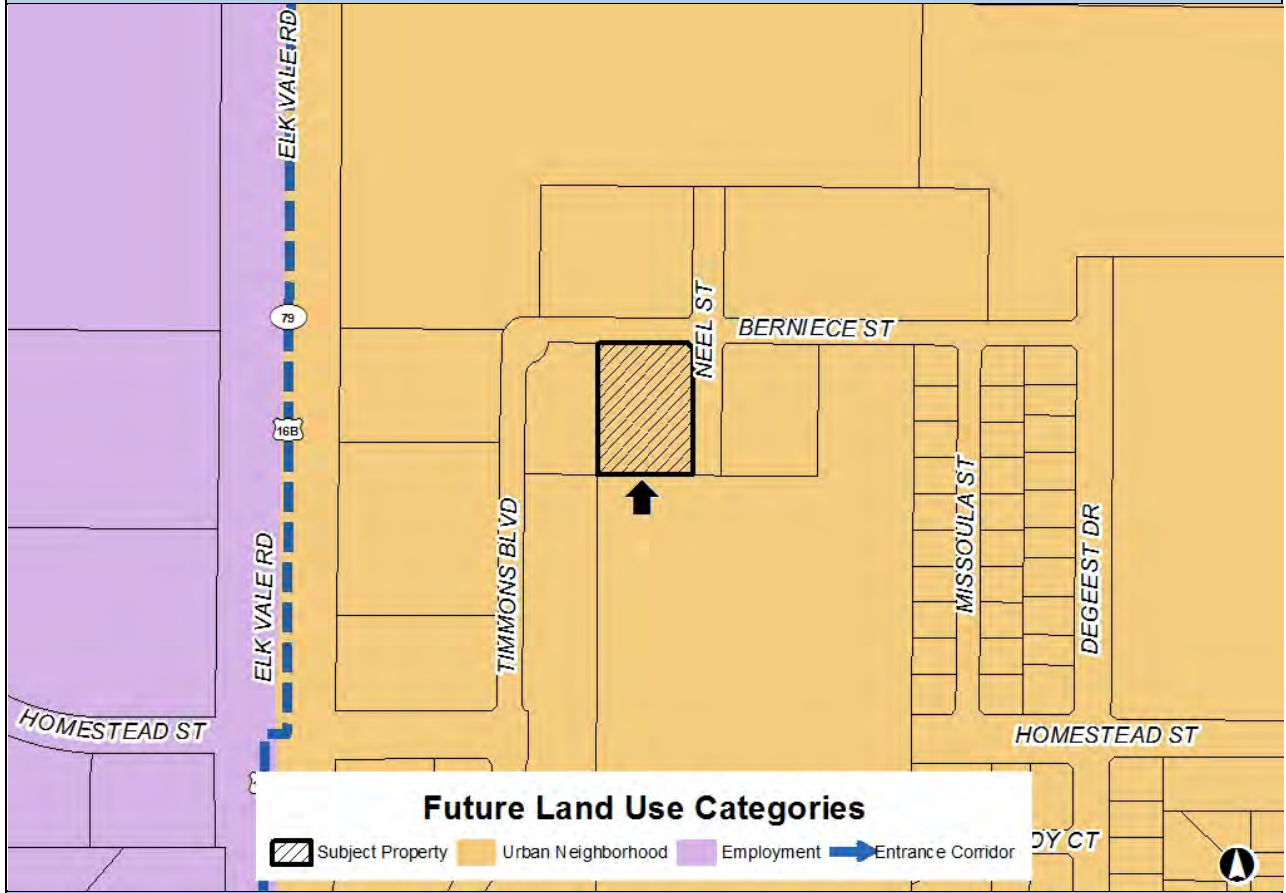
Zoning Map



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

Relevant Case History

Case/File#	Date	Request	Action
N/A			

Relevant Zoning District Regulations

General Commercial District	Required	Proposed
Lot Area	N/A	Approximately 54,886 square feet
Lot Frontage / Lot Width	N/A	Approximately 466 feet
Maximum Building Heights	4 stories or 45 feet	N/A
Maximum Density	75%	N/A
Minimum Building Setback:		
• Front	25 feet	N/A
• Rear	"0" feet	N/A
• Side	"0" 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	N/A	N/A
Fencing	N/A	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
<p>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>	<p>The subject property is a parcel of land zoned Office Commercial District approximately 1.26 acres in size. There are no changing conditions in the area.</p>
<p>2. The proposed amendments shall be consistent with the intent and purposes of this title.</p>	<p>The future land use designation of the property is Urban Neighborhood. The Urban Neighborhood designation supports neighborhood serving commercial as a secondary use in the district. The General Commercial District is not identified as a recommended zoning designation. However, the subject property is located adjacent to an existing commercial corridor that extends to the west and south along Elk Vale Road. In addition, the property abuts Neel Street to the east which is identified as a Collector Street on the City's Major Street Plan and serves as a dividing line between the commercial district to the west and a buffer area zoned Office Commercial District on the east side of Neel Street. The buffer area decreases the intensity of use between the commercial corridor to the west and a residential district to the east. To ensure that the development of the property is in keeping with the character of the area and to ensure that any use will provide a sufficient buffer to adjacent development in the area, staff recommends that the Rezoning request be approved in conjunction with a Planned Development Designation.</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 applicant should be aware that approval of the Rezoning request does not imply that public infrastructure is available to support any proposed commercial use. Specifically, fire flow requirements and available sewer needs for a commercial use will need to be addressed. The applicant must coordinate with the Rapid City Fire Department and Public Works Department to confirm if public infrastructure is available to support any proposed commercial use.</p> <p>In addition, the applicant should be aware that staff has received complaints regarding traffic volumes and traffic violations on Berniece Street and surrounding streets. Until the street network in the area is extended, in particular Homestead Street, traffic volumes will continue to increase.</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 Future Land Use Designation of the property is Urban Neighborhood District. The property abuts Neel Street to the east. Neel Street is identified as a Collector Street on the City's Major Street Plan. The property abuts an established commercial corridor to the west which extends along Elk Vale Road. Neel Street serves as an established dividing line between higher intensity commercial use to the west and office commercial and residential uses to the east. To ensure that future development of the property is in keeping with the character of the neighborhood, staff recommends that the Rezoning request be approved in conjunction with a Planned Development Designation. A Final Planned Development Overlay application must be submitted prior to development of the property.</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



A Balanced Pattern of Growth

BPG-3.1B	Future Land Use Flexibility: The future land use designation of the property is Urban Neighborhood. However, the property abuts an existing commercial corridor located between Elk Vale Road to the west and Neel Street to the east. Staff recommends that the Rezoning request be approved in conjunction with a Planned Development Designation to the ensure that future development of the property is in character with the neighborhood.
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A Vibrant, Livable Community

LC-2.1E	Neighborhood-Serving Uses: The proposed Rezoning request to General Commercial District supports the incorporation of commercial services to support the residential neighborhood located to the east. As noted above, a Final Planned Development Overlay application must be submitted for review and approval by the Planning Commission. The Planned Development Overlay review will ensure that future development is in keeping with the character of the area.
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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: The subject property is located on the southwest corner of the intersection of Berniece Street and Neel Street. Neel Street is identified as a Collector Street on the City’s Major Street Plan. Neel Street also serves as a dividing line between higher intensity commercial use to the west and a buffer area to the east. The buffer area is zoned Office Commercial District and serves to provide a lower intensity use between the higher intensity commercial use to the west and an established residential neighborhood to the east.
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Economic Stability and Growth

EC-1.1B	Public Improvements: As noted above, the approval of the Rezoning request does not imply that there are adequate fire flows or sewer capacity for any commercial use. The applicant should coordinate with the Rapid City Fire Department and Public Works Department regarding future commercial development.
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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
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	public has an opportunity to provide input at these meetings.
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Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
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Future Land Use Plan Designation(s):	Urban Neighborhood
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Design Standards:	
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N/A	The Urban Neighborhood District identifies neighborhood serving commercial retail and services as a secondary use.
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Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
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Neighborhood:	Elk Vale Road
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Neighborhood Goal/Policy:	
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N/A	The property is located adjacent to an existing commercial corridor located between Elks Vale Road to the west and Neel Street to the east. Neel Street is identified as a Collector Street on the City’s Major Street Plan and serves as a natural dividing line between the commercial corridor to the west and a buffer area on the east side of Neel Street zoned Office Commercial District. The buffer area serves to lower the intensity of use from west to east and protect the residential neighborhood to the east.
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Findings	
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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 property is located adjacent to an existing commercial corridor located between Elk Vale Road and Neel Street. Neel Street serves as a dividing line between the commercial corridor and a lower intensity buffer zone located on the east side of Neel Street. To ensure that future development of the property is in keeping with the character of the neighborhood, staff recommends that the Rezoning request be approved in conjunction with a Planned Development Designation. A Final Planned Development Overlay application must be submitted for review and approval prior to development of the property.	
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Planning Commission Recommendation and Stipulations of Approval	
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Staff recommends that the Rezoning request be approved in conjunction with a Planned Development Designation.	
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