



Rapid City Planning Commission

Rezoning Project Report

September 7, 2017

Item #5
Applicant Request(s)
Case #17RZ024 – Rezoning request from Park Forest District to Low Density Residential District
Companion Case(s) #17VR005 – Vacation of Right-of-Way request for a portion of Catron Boulevard

Development Review Team Recommendation(s)
The Development Review Team recommends that the Rezoning request be denied continued to the September 7, 2017 Planning Commission meeting with the applicant's concurrence approved.

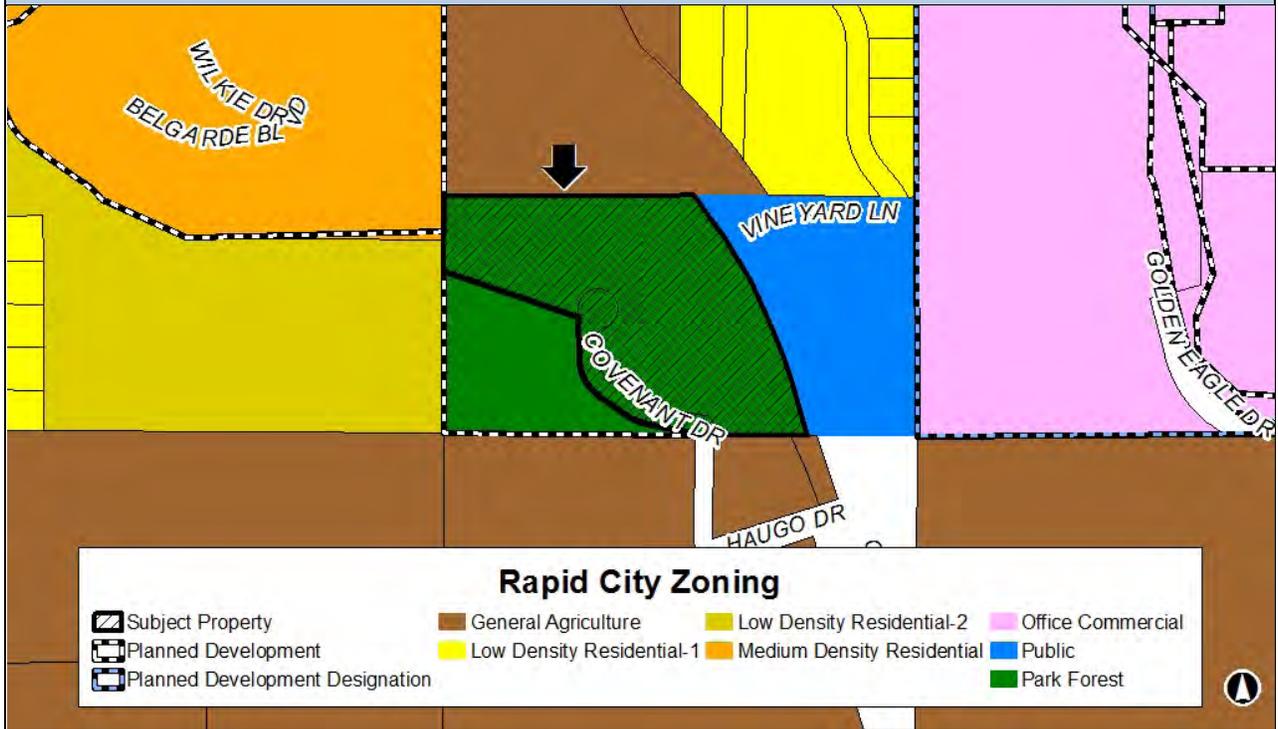
Project Summary Brief
<p>(Update August 30, 2017. All revised and/or added text is shown in bold.) This application was continued from the August 24, 2017 Planning Commission to allow the applicant to submit additional information regarding the proposed extension of public infrastructure. The applicant's consultant has provided a preliminary street alignment which includes sanitary sewer and water system engineering analysis and design information which indicates the property may be served by the extension of street, sanitary sewer and water infrastructure from Catron Boulevard. More specifically, the conceptual plan submitted shows 18 single-family residential lots between 0.21 and 0.78 acres in size served by a looped 8 inch water main and an 8 inch gravity sewer main. Based on the information provided, it appears the proposed street and utility layout and improvements generally adhere to the City's Infrastructure Design Criteria Manual and Municipal Code requirements.</p> <p>(Update August 15, 2017. All revised and/or added text is shown in bold.) This application was continued from the August 10, 2017 Planning Commission meeting at the applicant's request. As of this writing, the applicant has not submitted information regarding public infrastructure extensions for staff to review. Staff recommends that this application be continued to the September 7, 2017 Planning Commission meeting to allow the applicant to submit additional information regarding proposed extensions of public infrastructure.</p> <p>The applicant has submitted a Rezoning request to change the zoning designation from Park Forest District to Low Density Residential District for a parcel of land approximately 9.88 acres in size. The applicant has also submitted a Vacation of Right-of-Way (File #17VR005) request for a portion of Catron Boulevard right-of-way located north of the property. This application will be considered at the August 24, 2017 Planning Commission meeting. The City Attorney's office has determined that the applicant does not have the authority to request that the portion of Catron Boulevard right-of-way be vacated since it is a deeded property and not dedicated right-of-way. As such, the file has been closed.</p> <p>The property is located west of the intersection of Catron Boulevard and Vineyard Lane. Currently, the property is void of structural development.</p>

Applicant Information	Development Review Team Contacts
Applicant: Dakota Hills Trailer Sales, LLC	Planner: Fletcher Lacock
Property Owner: Dakota Hills Trailer Sales, LLC	Engineer: Ted Johnson
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc	School District: Janet Kaiser
Surveyor: N/A	Water/Sewer: Ted Johnson
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	6061 Covenant Drive
Neighborhood	U.S. Highway 16
Subdivision	Potts Subdivision
Land Area	9.88 acres (approximately 430,373 square feet)
Existing Buildings	Void of structural development
Topography	Steep rise in elevation from east to west
Access	Haugo Drive
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	PF	LDN	No structural development
Adjacent North	GA	LDN	Catron Boulevard right-of-way
Adjacent South	GA	LDN	No structural development
Adjacent East	OC-PDD	LDN and EC	Catron Boulevard right-of-way and further east an apartment complex
Adjacent West	PF-PD / MDR-PD / LAR-II	LDN and UN	Bed and Breakfast and an apartment complex

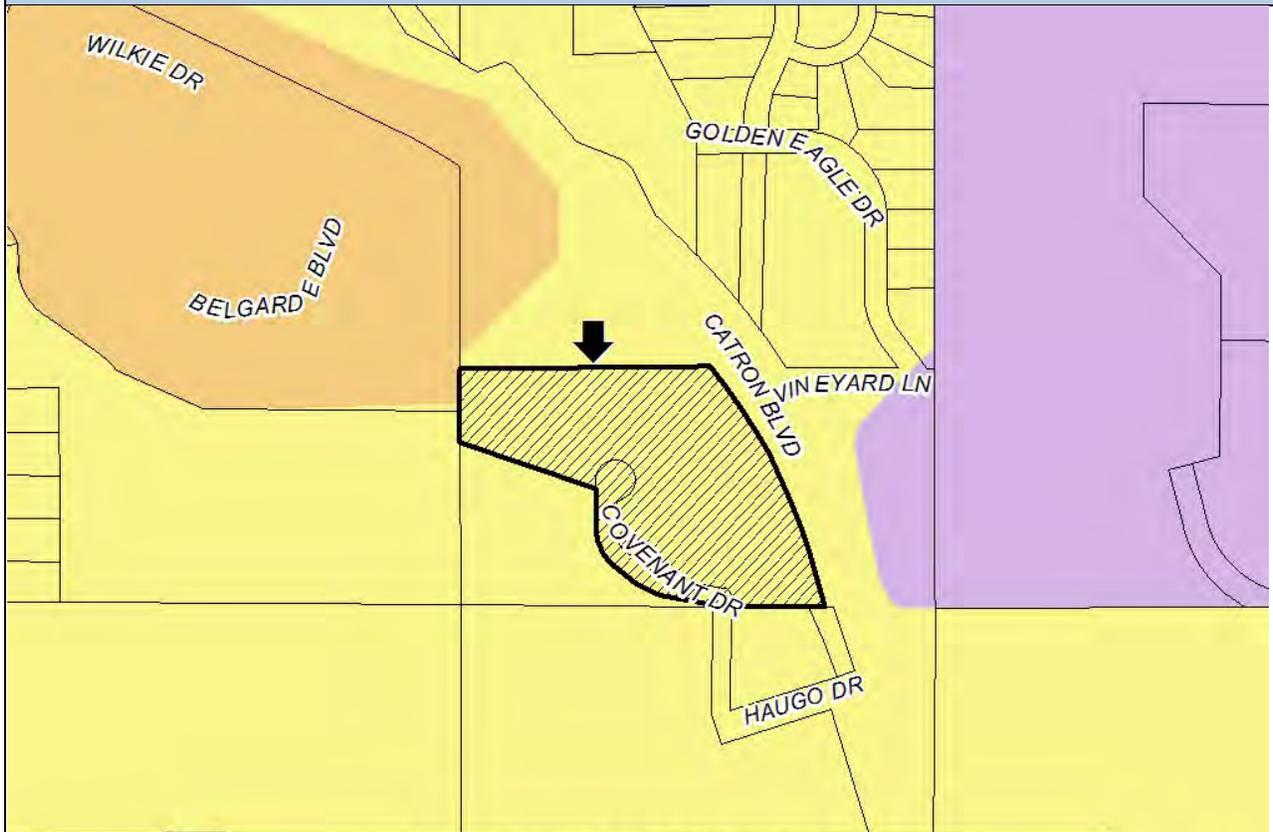
Zoning Map



Existing Land Uses



Comprehensive Plan Future Land Use

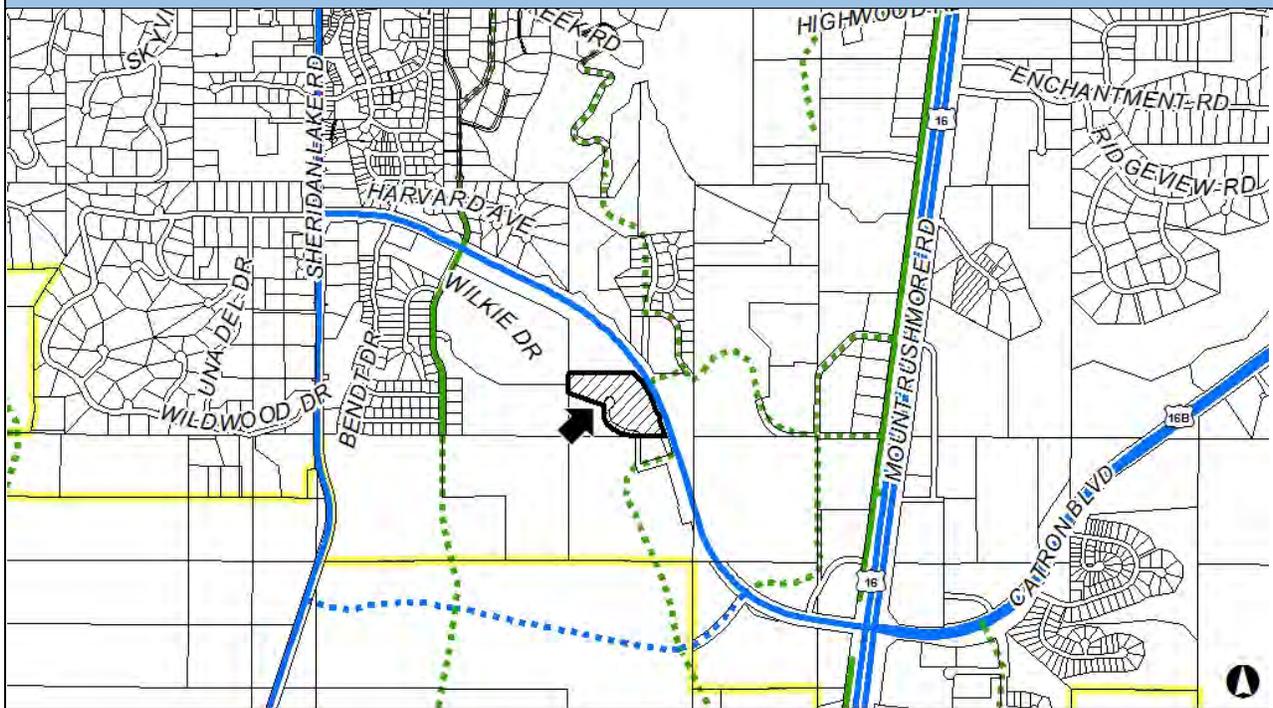


Future Land Use Categories

- Subject Property
- Low Density Neighborhood
- Urban Neighborhood
- Employment



Parks or Transportation Plan



Major Street Plan

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

Relevant Case History			
Case/File#	Date	Request	Action
08PL114	08/07/2008	Final Plat to create 3 lots approved 8/7/2008	Plat was vacated July 28, 2010
05CA013	03/21/2005	Comprehensive Plan Amendment to amend the future land use from LDR to Park Forest	City Council Approved
Relevant Zoning District Regulations			
Low Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	9.88 acres	
Lot Frontage / Lot Width	25 feet	Approximately 1,454 feet	
Maximum Building Heights	2½ stories or 35 feet	N/A	
Maximum Density	30%	N/A	
Minimum Building Setback:			
• Front	20 feet	N/A	
• Rear	25 feet	N/A	
• Side	8 feet or 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.	<p>The subject property is a parcel of land approximately 9.88 acres in size zoned Park Forest District. The applicant has also submitted a Vacation of Right-of-Way (File #17VR005) request for a portion of Catron Boulevard right-of-way located north of the property. The Vacation of Right-of-Way was reviewed at the August 24, 2017 Planning Commission meeting. As noted above, The City Attorney's office has determined that the applicant does not have the authority to request that the portion of Catron Boulevard right-of-way be vacated since it is a deeded property and not dedicated right-of-way. As such, the file has been closed.</p> <p>The property is accessed from Covenant Drive to the south. The southwest side of the property is relatively flat and slopes steeply to the north and east dropping off between 60 and 70 feet. Previously, a Final Plat (File #08PL114) was approved and subsequently vacated to create three lots. The property is currently void of any structural development.</p>
2. The proposed amendments shall be consistent with the intent and purposes of this title.	As noted above, the applicant's consultant has provided a preliminary street alignment which includes sanitary sewer and water system engineering analysis and design information which indicates the property

	<p>may be served by the extension of street, sanitary sewer and water infrastructure from Catron Boulevard. More specifically, the conceptual plan submitted shows 18 single-family residential lots between 0.21 and 0.78 acres in size served by a looped 8 inch water main and an 8 inch gravity sewer main. Based on the information provided, it appears the proposed street and utility layout and improvements generally adhere to the City's Infrastructure Design Criteria Manual and Municipal Code requirements. The applicant should be aware that approval of the proposed Rezoning request is not, and shall not be construed as, approval of the proposed infrastructure layout or design, and does not authorize construction or installation of improvements. The future land use designation of the property is Low Density Neighborhood. The Low Density Residential District is identified as a suitable zoning designation within a Low Density Neighborhood if the infrastructure is in place to support the density. On March 21, 2005, a Comprehensive Plan Amendment (File #05CA013) was approved changing the future land use designation from Low Density Residential District with a Planned Residential Development to Park Forest District for the subject property and the adjacent property to the west. It was noted that the Park Forest designation protected the character and integrity of the existing residence and future development due to topographic constraints and the lack of infrastructure to support additional densities. The Low Density Residential District would potentially allow a maximum of 66 lots. Public Works staff has indicated that the applicant has not demonstrated that sanitary sewer and water mains can functionally serve future proposed development. The property is rugged and the ability to extend sewer and water to all potential buildable sites may be limited. The applicant should be aware that future platting will trigger the installation of water and sewer mains and applicable road improvements. Based on the land use history, the intent of the current zoning to preserve the character of the area, and that the applicant has not demonstrated that public infrastructure can be functionally or cost effectively extended to serve future potential development, staff recommends that the Rezoning request be denied.</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>As noted above, the applicant has submitted preliminary information demonstrating that public infrastructure can be extended to serve future development of the property. The property is located along Catron Boulevard which is identified as a Principal Arterial Street on the City's Major Street Plan. Public Works staff has indicated that future potential development of the property will require the extension of public water and sewer mains and applicable road improvements. Covenant Drive serves as access to the property and is currently an approximately 16 foot wide graveled road. The applicant has not demonstrated that infrastructure will be improved to support the additional densities allowed in the Low Density Residential District. Until the applicant can demonstrate that water and sewer mains can be extended and that access constructed to City design standards is being</p>

	provided, staff cannot support the proposed Rezoning request. It appears that the rough terrain will make it difficult for public improvements to serve the property. As noted above, the current zoning designation of Park Forest District was intended to limit the development of the property to three lots to preserve the character of the area.
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.	As noted above, the applicant has submitted design information demonstrating that public utilities can be extended to serve potentially 18 single-family lots. The future land use designation of the property is Low Density Neighborhood. The current zoning of Park Forest District would allow a maximum of three lots. The Low Density Residential District would allow a maximum of 66 lots not including the potential vacation of right-of-way to the north. The applicant has not demonstrated that public infrastructure will be extended to serve the future potential development of the property. Until the applicant can demonstrate that public infrastructure is being extended to serve future development, staff recommends that the Rezoning request be denied.

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-1.2A	Priority Infill Areas: Potential future development of the property will require the extension of sewer main, dual water mains, and applicable road improvements. The applicant has not demonstrated that public infrastructure is being extended to serve potential future development of the property. The proposed Rezoning request does not meet the goal of maximizing infrastructure investments.
	A Vibrant, Livable Community
LC-2.1A	Targeted Residential Growth Areas: Potential future development of the property would require the extension of public infrastructure including dual water mains, sewer main, and applicable road improvements. The applicant has not demonstrated that public infrastructure is being extended to serve potential future development of the property.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
T1-2.1A	Major Street Plan Integration: Catron Boulevard is identified as a Principal Arterial Street on the City's Major Street Plan. Current access to the property is from Covenant Drive. The applicant should be aware that potential future development of the property will require the extension of public sewer and water mains, and applicable road improvements. The applicant should also be aware that any required improvements are the responsibility of the developer.
TI-2.1E	Access Management Planning: Current access to the property is Covenant Drive which is a gravel road. Potential future development of the property will

	require that paved access is provided in compliance with the Infrastructure Design Criteria Manual.
	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 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.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Low Density Neighborhood
Design Standards:	
GDP-N1	Preservation of Natural Features: The property is comprised of steep slopes. The Low Density neighborhood design principles recommend the preservation of natural features including steep slopes. The current zoning of Park Forest District reflects the intent of preserving the character of the area and reflects the difficulty to serve the area with public infrastructure. The applicant has not demonstrated that public infrastructure is being extended to serve potential future development of the property. As noted above, the applicant has submitted preliminary design information demonstrating that public utilities can be extended to serve higher density development.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	U.S. Highway 16
Neighborhood Goal/Policy:	
US16-NA1.11	Urban Services: As noted above, the applicant has not demonstrated that potential future development of the property can be served by public water and sewer services. The current zoning of Park Forest District reflects the difficulty of providing public infrastructure to serve the property. As noted above, the applicant has submitted preliminary design information demonstrating that public infrastructure can be extended to serve future development. The applicant should be aware that approval of the proposed Rezoning request is not, and shall not be construed as, approval of the proposed infrastructure layout or design, and does not authorize construction or installation of improvements.

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. Public infrastructure is not readily available to the subject property and the applicant has not demonstrated that infrastructure will be extended to serve potential future development of the property. The Comprehensive Plan Amendment (File #05CA013) approved on March 21, 2005, recommends that the property be designated for larger lot development to protect the character of the area and because the terrain is rugged. The existing zoning designation of Park Forest District would allow a maximum of three lots. The applicant's consultant has provided a preliminary street alignment which includes sanitary sewer and water system	

engineering analysis and design information which indicates the property may be served by the extension of street, sanitary sewer and water infrastructure from Catron Boulevard. More specifically, the conceptual plan submitted shows 18 single-family residential lots between 0.21 and 0.78 acres in size served by a looped 8 inch water main and an 8 inch gravity sewer main. Based on the information provided, it appears the proposed street and utility layout and improvements generally adhere to the City's Infrastructure Design Criteria Manual and Municipal Code requirements. The applicant should be aware that approval of the proposed Rezoning request is not, and shall not be construed as, approval of the proposed infrastructure layout or design, and does not authorize construction or installation of improvements.

Planning Commission Recommendation and Stipulations of Approval

Staff recommends that the Rezoning request be ~~denied~~ continued to the September 7, 2017 Planning Commission meeting with the applicant's concurrence **approved**.