



Rapid City Planning Commission

Rezoning Project Report

February 22, 2018

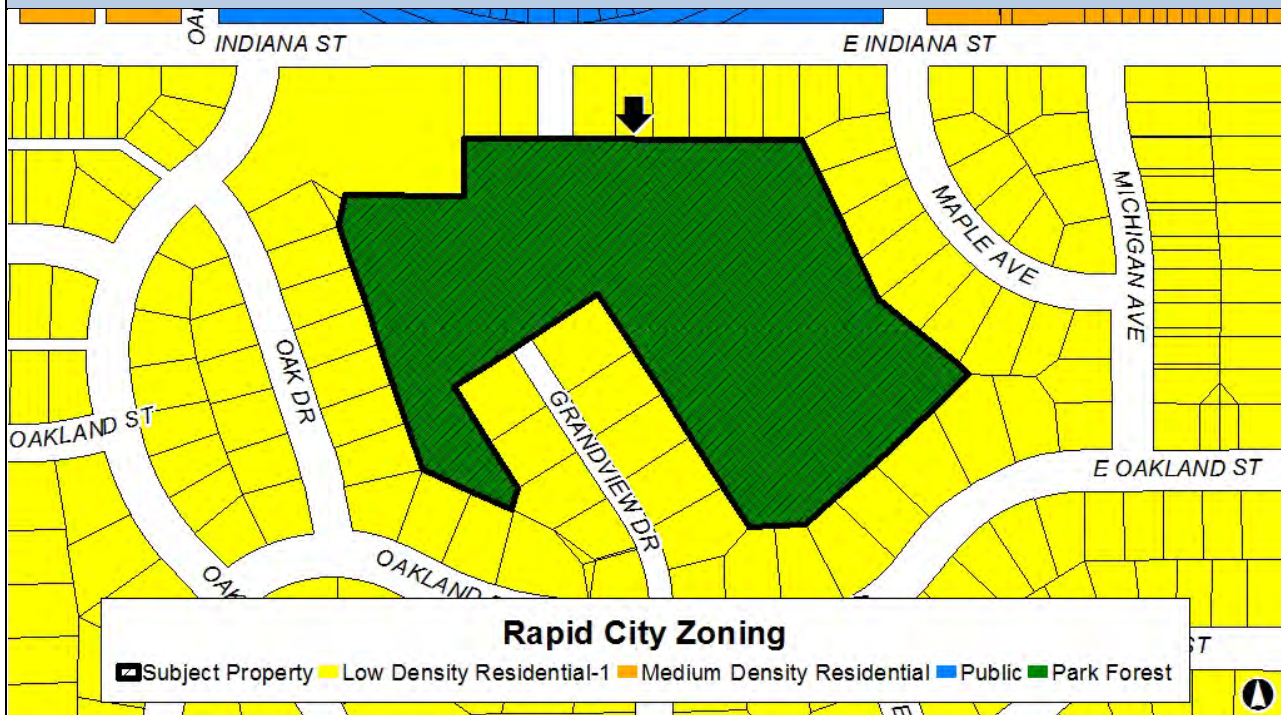
Item #8
Applicant Request(s)
Case #17RZ040 – Rezoning request from Park Forest District to Low Density Residential District
Companion Case(s) N/A
Development Review Team Recommendation(s)
The Development Review Team recommends that the Rezoning request be continued to the February 22, 2018 be denied.
Project Summary Brief
<p>(Update February 14, 2018. All revised and/or added text is shown in bold.) This item was continued from the February 8, 2018 Planning Commission meeting to allow staff to review a Preliminary Geotechnical Observations letter from American Engineering Testing, Inc. submitted on February 1, 2018. The letter provides a surface observation of the subject property and does not include site specific soil boring data, soil sample analysis or subsequent specific construction recommendations. During the review of Rezone 17RZ025, the Planning Commission and City Council voiced specific concerns with soil stability and the potential impact on adjacent properties as a result of developing this site. Without site soils data, the impact of the development cannot be determined. As such, staff cannot support this Rezoning request.</p> <p>(Update February 1, 2018. All revised and/or added text is shown in bold.) This item was continued from the January 25, 2018 Planning Commission meeting to allow the applicant to submit a soils report addressing concerns with drainage, soil stability, and erosion and sediment control. On February 1, 2018, the applicant submitted a Preliminary Site Report for the subject property after the Development Review Team had met. Staff has not had sufficient time to review the information. In addition, several area property owners have indicated that they would like to review the information. The City Council previously denied a Rezoning request (File #17RZ025) to change the zoning designation of the subject property from Park Forest District to Low Density Residential District, citing concerns regarding drainage and soil stability. Staff recommends that the Rezoning request be continued to the February 22, 2018 Planning Commission meeting to allow sufficient time to review the report.</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 9.85 acres in size. The Future Land Use Plan identifies the appropriate use of the property as Forest Conservation District. The property is located southwest of the intersection of Indiana Street and Maple Avenue. Currently, the property is void of structural development.</p> <p>The applicant has indicated that a soils report will be submitted for review. As of this writing, the applicant has not submitted the soils report for staff review. As such, staff recommends that the Rezoning request be continued to the February 8, 2018 Planning Commission meeting to allow the applicant to submit a soils report for review.</p>

Applicant Information		Development Review Team Contacts
Applicant: Maguire Services LLC		Planner: Fletcher Lacock
Property Owner: Maguire services LLC		Engineer: Ted Johnson
Architect: N/A		Fire District: Tim Behlings
Engineer: KTM Design Solutions, Inc		School District: N/A
Surveyor: N/A		Water/Sewer: Ted Johnson
Other: N/A		DOT: Stacy Bartlett
Subject Property Information		
Address/Location	North on the intersection of Grandview Drive and Oakland Street	
Neighborhood	Downtown / Skyline Drive Neighborhood Area	
Subdivision	Section 12, T1N, R7E	
Land Area	9.85 acres	
Existing Buildings	Void of structural development	
Topography	Steep topography dropping in elevation from south to north approximately 70 feet	
Access	Grandview Drive	
Water Provider	Rapid City	
Sewer Provider	Rapid City	
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities	
Floodplain	N/A	

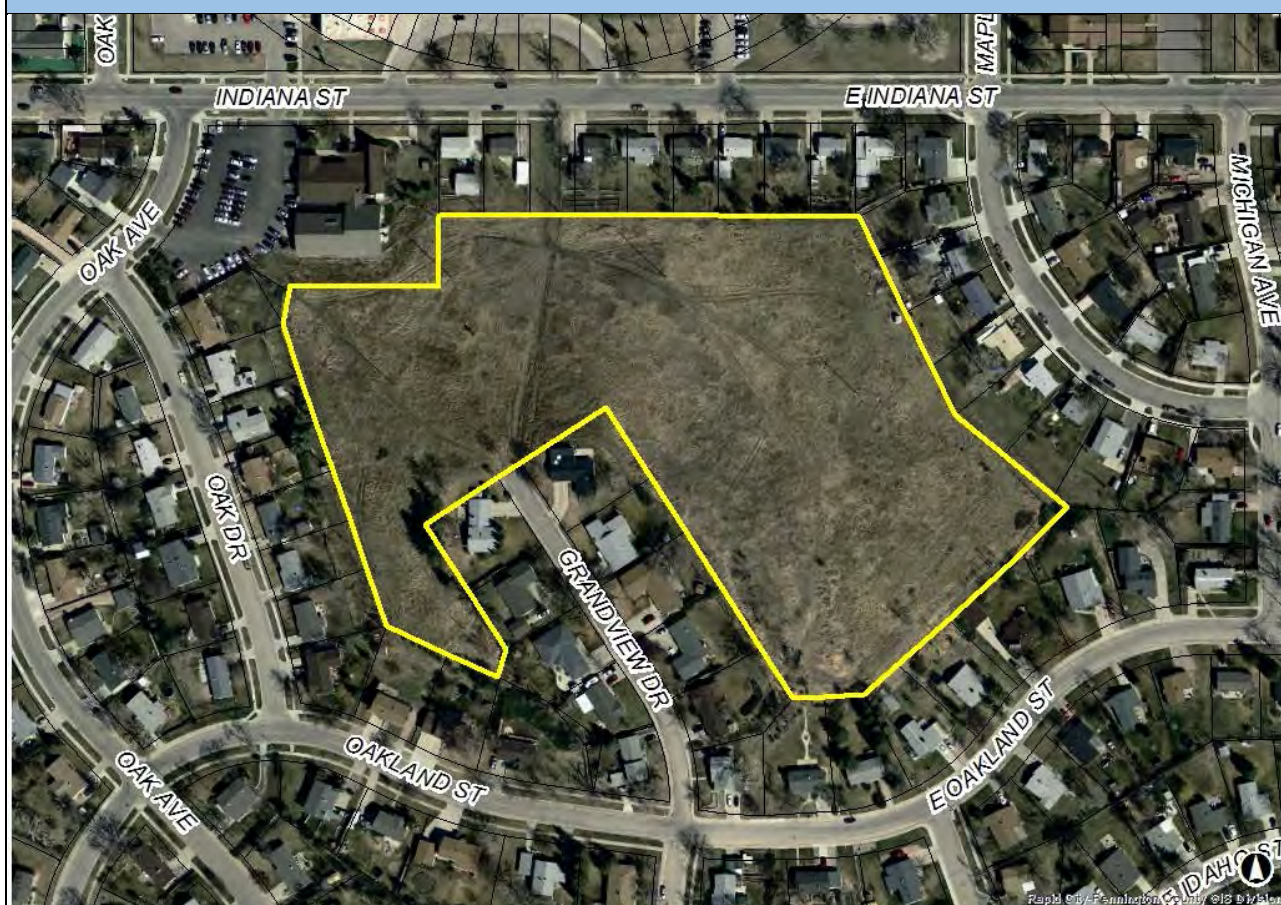
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	PF	FC	No structural development
Adjacent North	LDR	LDN	Single-family dwellings / church
Adjacent South	LDR	LDN	Single-family dwellings
Adjacent East	LDR	LDN	Single-family dwellings
Adjacent West	LDR	LDN	Single-family dwellings

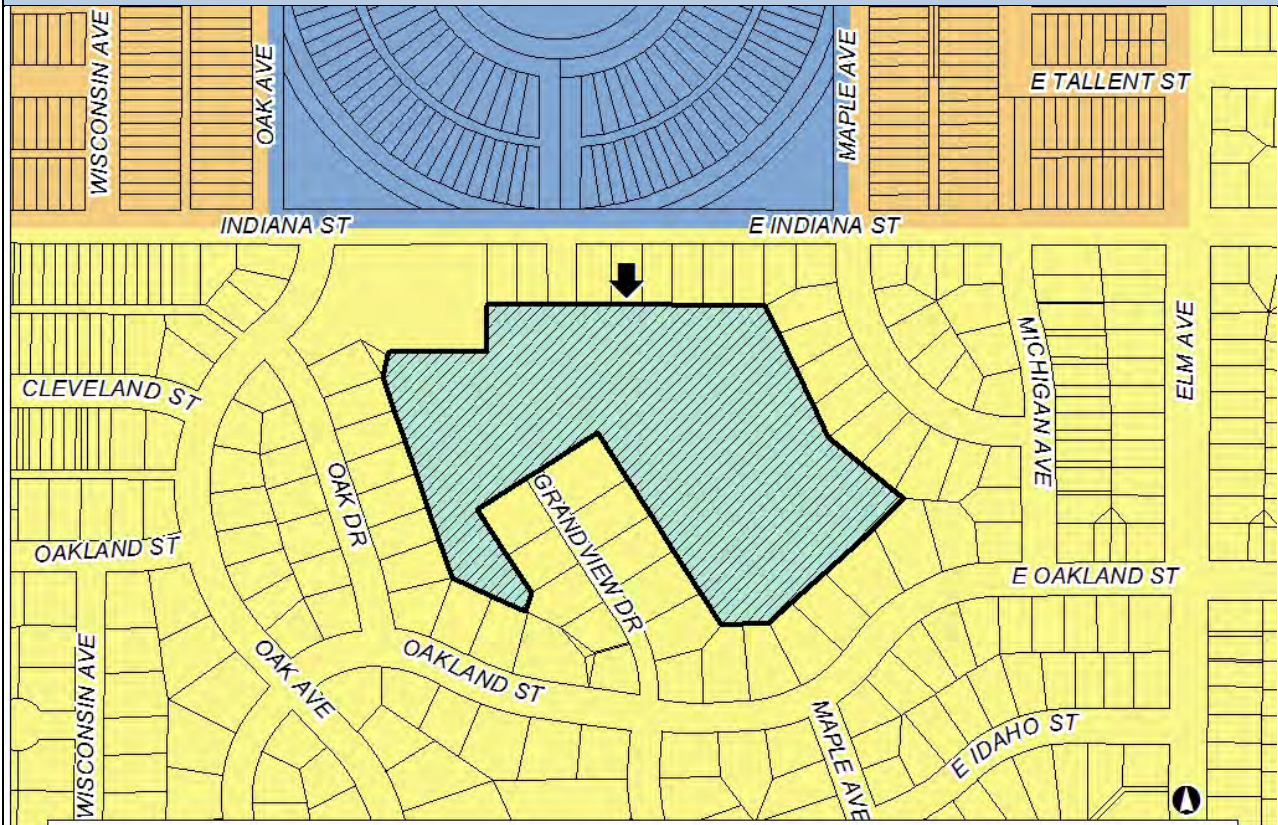
Zoning Map



Existing Land Uses



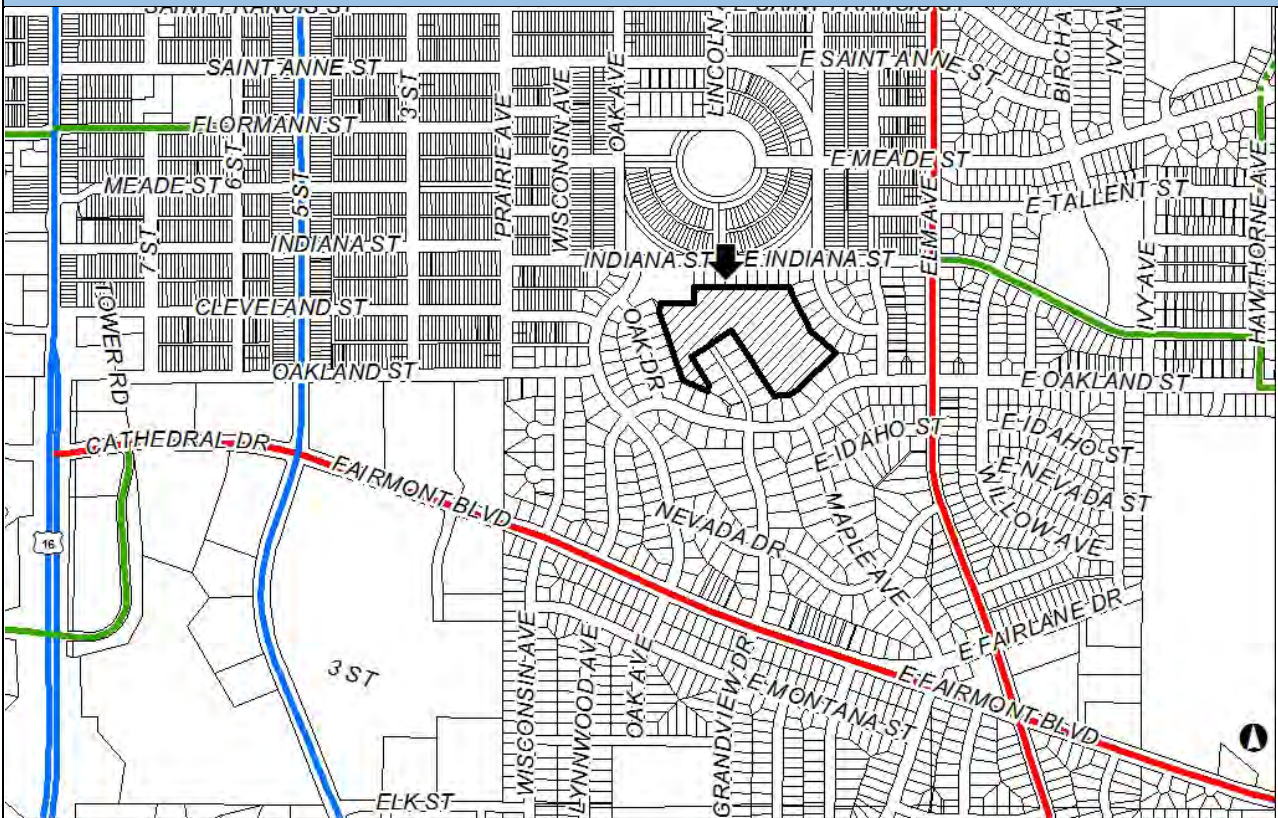
Comprehensive Plan Future Land Use



Future Land Use Categories

- Subject Property
- Low Density Neighborhood
- Urban Neighborhood
- Forest Conservation
- Public/Quasi-Public

Parks or Transportation Plan



Major Street Plan

- Subject Property
- Collector
- Minor arterial
- Principal arterial
- Proposed collector




Relevant Case History			
Case/File#	Date	Request	Action
17RZ025	10/16/2017	Rezoning from Park Forest District to Low Density Residential District	City Council denied
Relevant Zoning District Regulations			
Low Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	429,066 square feet	
Lot Frontage / Lot Width	50 feet	Approximately 60 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 for one story structures / 12 feet for 2 story structures	N/A	
• Street Side	20 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.	There are no changing conditions in the area. The property is currently void of any structural development. The applicant has submitted this Rezoning request to allow for a higher density of development. This item was continued from the February 8, 2018 Planning Commission meeting to allow staff to review a Preliminary Geotechnical Observations letter from American Engineering Testing, Inc. submitted on February 1, 2018. The letter provides a surface observation of the subject property and does not include site specific soil boring data, soil sample analysis or subsequent specific construction recommendations. During the review of Rezone 17RZ025, the Planning Commission and City Council voiced specific concerns with soil stability and the potential impact on adjacent properties as a result of developing this site. Without site soils data, the impact of the development cannot be determined. As such, staff cannot support this Rezoning request.
2. The proposed amendments shall be consistent with the intent and purposes of this title.	The future land use designation of the property is Forest Conservation. The Forest Conservation District promotes large lot single-family residences as a secondary use. The proposed Rezoning request would

	allow a minimum lot size of 6,500 square feet. The proposed amendment is not consistent with the intent and purpose of the Future Land Use Plan.
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.	Public Works staff has indicated that substantial infrastructure improvements including grading, site stabilization, storm water drainage, water quality, and erosion control will need to be addressed. Rapid City water and sewer mains are extended to the property. Future development must address the extension of mains to serve the property. In addition, the Rapid City Fire Department has indicated that future development may need to utilize residential fire sprinkler protection and provision of emergency turnarounds. However, without site soils data., the impact of future development cannot be determined.
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 future land use designation of Forest Conservation supports large lot residential as a secondary use. The proposed amendment would reduce the minimum required lot size from 3 acres to 6,500 square feet. The proposed amendment is not consistent with the intent and purpose of the Future Land Use 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:

Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
BPG-1.1A	Compact Growth: The property is located within the City limits and is served by Rapid City water and sewer. As noted above, substantial infrastructure improvements including grading, site stabilization, storm water drainage, water quality, and erosion control will need to be addressed.
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
SHIS-2.1A	Limited Development in Risky Areas: The property is comprised of shale which is prone to slides. This item was continued from the February 8, 2018 Planning Commission meeting to allow staff to review a Preliminary Geotechnical Observations letter from American Engineering Testing, Inc. submitted on February 1, 2018. The letter provides a surface observation of the subject property and does not include site specific soil boring data, soil sample analysis or subsequent specific construction recommendations. During the review of Rezone 17RZ025, the Planning Commission and City Council voiced specific concerns with soil stability and the potential impact on adjacent properties as a result of developing this site. Without site soils data, the impact of the development cannot be determined.

	Efficient Transportation and Infrastructure Systems
	N/A
	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 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.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Forest Conservation
Design Standards:	
N/A	The Forest Conservation designation recommends a minimum 3 acre lot size.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown / Skyline Drive Neighborhood Area
Neighborhood Goal/Policy:	
DSD-NA1.1A	Residential Neighborhoods: Future development of the property will support the goal of encouraging infill development. The existing zoning allows for three residential lots with a minimum three acre lot size.

Planning Commission Recommendation and Stipulations of Approval	
<p>Staff recommends that the Rezoning request be continued to the February 22, 2018 Planning Commission meeting to allow staff to review the Preliminary Site Report submitted by the applicant on February 1, 2018. On October 16, 2017, the City Council denied a Rezoning request (File #17RZ025) to change the zoning designation of the property from Park Forest District to Low Density Residential District. The City Council had concerns regarding drainage and soil stability. The applicant has indicated that a soils report will be submitted for review. As of this writing, the applicant has not submitted the soils report for staff review. As such, the Development Review Team recommends that the Rezoning request be continued to the February 8, 2018 Planning Commission meeting to allow the applicant to submit a soils report for review. Based on the review criteria for a Rezoning request there are no changing conditions in the area to support the Rezoning request. In addition, the future land use plan identifies the land use designation of the property as Forest Conservation which supports the current zoning of the property as Park Forest District. The Park Forest District supports large lot single-family development with a minimum lot size of 3 acres. The subject property is approximately 9.85 acres in size which would allow the property to be subdivided into three lots. This item was continued from the February 8, 2018 Planning Commission meeting to allow staff to review a Preliminary Geotechnical Observations letter from American Engineering Testing, Inc. submitted on February 1, 2018. The letter provides a surface observation of the subject property and does not</p>	

include site specific soil boring data, soil sample analysis or subsequent specific construction recommendations. During the review of Rezone 17RZ025, the Planning Commission and City Council voiced specific concerns with soil stability and the potential impact on adjacent properties as a result of developing this site. Without site soils data, the impact of the development cannot be determined. As such, staff cannot support this Rezoning request.