



Rapid City Planning Commission

Rezoning Project Report

September 24, 2015

| Applicant Request(s) |
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| Case # 15RZ019: a request to rezone property from No Use District to General Commercial District |
| Companion Case(s) #: N/A |

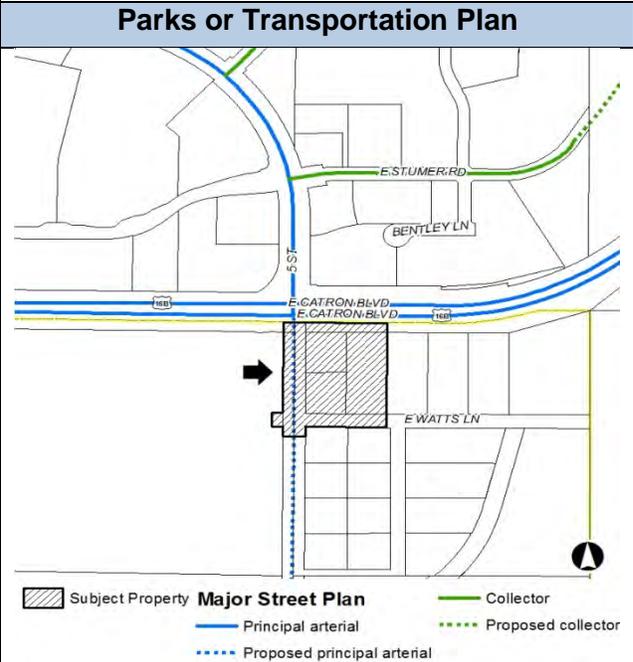
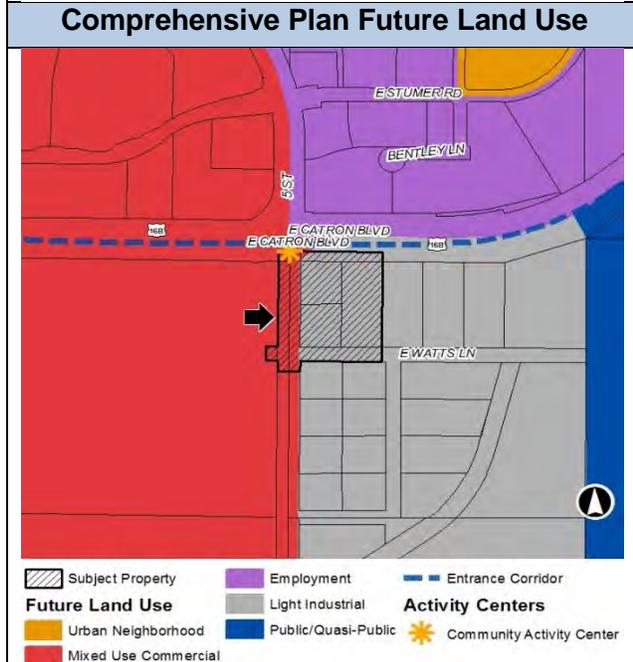
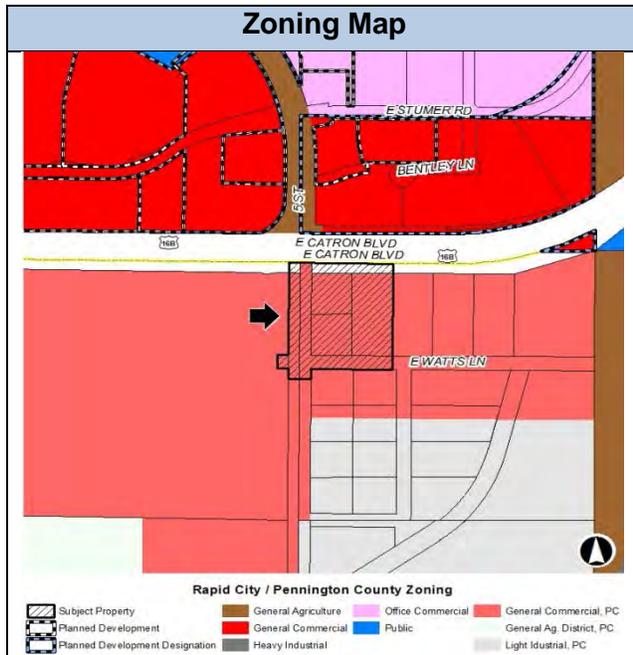
| Development Review Team Recommendation(s) |
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| The Development Review Team recommends that the request to rezone property from No Use District to General Commercial District be approved contingent on the approval of the associated annexation (15AN002). |

| Project Summary Brief |
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| <p>The City is requesting to rezone approximately 5.66 acres of property from No Use District to General Commercial District. The property owner submitted an annexation petition which was approved by the Planning Commission on September 10, 2015. The annexation petition will be considered at the September 21, 2015 City Council meeting. The office structure which was associated with the previous use of the property for vehicle sales has been moved south of the subject property. The applicant has indicated that the proposed future use of the property will be for a financial services company, a use which is permitted in the Central Business District, the General Commercial District, the Light Industrial District, and the Office Commercial District. Upon annexation, the property will be placed in a No Use District. The City's comprehensive Future Land Use Plan designates this area as a location for a Community Activity Center, which transitions from mixed use commercial uses near the intersection to industrial uses near the City's landfill boundary (for buffering purposes). As such, the proposed General Commercial District for this site appears to be consistent with the comprehensive plan.</p> |

| Applicant Information | Development Review Team Contacts |
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| Applicant: BW Properties, LLC | Planner: Sarah Hanzel |
| Property Owner: Lazy P6 Land Co Inc. | Engineer: Nicole Lecy |
| Architect: N/A | Fire District: Denny Gorton |
| Engineer: N/A | School District: Janet Kaiser |
| Surveyor: N/A | Water/Sewer: Dan Kools |
| Other: Costello Porter Law Firm/Jess M. Pekarski | DOT: Stacy Bartlett |

| Subject Property Information | |
|------------------------------|---|
| Address/Location | Southeast quadrant of Catron Boulevard and 5 th Street |
| Neighborhood | South Robbinsdale |
| Subdivision | N/A – Southgate Commercial Condominiums |
| Land Area | 5.66 acres |
| Existing Buildings | Office structure |
| Topography | Generally level |
| Access | Catron Boulevard and 5 th Street |
| Water Provider | Private – City water mains available |
| Sewer Provider | Private – City sewer mains available |
| Electric/Gas Provider | West River Electric Association/Montana Dakota Utilities |
| Floodplain | None identified |
| Other | N/A |

| Subject Property and Adjacent Property Designations | | | |
|---|-----------------|----------------------------------|--------------------------------------|
| | Existing Zoning | Comprehensive Plan | Existing Land Use(s) |
| Subject Property | PC - GC | LI w/ Community Activity Center | Void of structural development |
| Adjacent North | GC | E w/ Community Activity Center | Mixed Use Commercial |
| Adjacent South | PC - GC | LI w/ Community Activity Center | Void of structural development |
| Adjacent East | PC - GC | LI w/ Community Activity Center | Mini-Storage units; light industrial |
| Adjacent West | PC - GC | MUC w/ Community Activity Center | Void of structural development |



| Relevant Case History | | | |
|--------------------------------------|------------------------------------|---------------------------------------|--|
| Case/File# | Date | Request | Action |
| 15AN002 | 9/10/15 | Petition for Annexation of 5.66 acres | Planning Commission recommended approval |
| Relevant Zoning District Regulations | | | |
| General Commercial District | Required | Existing | |
| Lot Area | N/A | N/A | |
| Lot Frontage | N/A | N/A | |
| Maximum Building Heights | 4 stories; 45 ft. | Void of structural development | |
| Maximum Density | 75% maximum lot coverage | Void of structural development | |
| Minimum Building Setback: | | | |
| • Front | 25 ft. | Void of structural development | |
| • Rear | 30 ft. when serviced from the rear | Void of structural development | |
| • Side | None | Void of structural development | |
| • Street Side | N/A | Void of structural development | |
| Minimum Landscape Requirements: | Pursuant to 17.50.300 | Unknown | |
| • # of landscape points | | Unknown | |
| • # of landscape islands | | Unknown | |
| Minimum Parking Requirements: | Pursuant to 17.50.270. | Unknown | |
| • # of parking spaces | | Unknown | |
| • # of ADA spaces | | Unknown | |
| Signage | Pursuant to 17.50.080 | Unknown | |
| Fencing | Pursuant to 17.18.080 | Unknown | |

| Planning Commission Criteria and Findings for Approval or Denial | |
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| 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. | An annexation petition for the property (15AN002) was approved by the Planning Commission on September 10, 2015. All annexed lands are temporarily designated as a No Use Zoning District upon annexation. The annexation of the property constitutes the changing condition requiring rezoning of the property. |
| 2. The proposed amendments shall be consistent with the intent and purposes of this title. | The purpose of the General Commercial District is for personal and business services and the general retail business of the city. |
| 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 City Council approved an Oversize Reimbursement Agreement on October 7, 2013 wherein the City agreed to pay for oversizing public improvements in 5 th Street and East Watts Lane. The agreement also identifies phased annexation as a part of the agreement. This petition for annexation allows the City to reimburse the property owner for those costs for Phase I as identified in the agreement. The City accepted the water and sewer public improvements referenced in the 2013 Agreement on September 2, 2014. |

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| <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 Rapid City Future Land Use Map shows that this area is appropriate for development related to a Community Activity Center which transitions from mixed use commercial uses at the intersection to industrial uses approaching Highway 79 and the municipal landfill for buffering purposes. The proposed future use of the property is for a financial services company, which is a permitted use in the Central Business District, the General Commercial District, the Light Industrial District, and the Office Commercial District. As such, the proposed General Commercial District for this site appears to be consistent with the comprehensive plan.</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 | |
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|  <p align="center">A Balanced Pattern of Growth</p> | |
| BPG-1.1A | Compact Growth – Encourage compact growth and infill development within and adjacent to city limits. |
| BPG-1.1C | Annexation Criteria – Coordinate with counties and adjacent jurisdictions to develop and follow criteria and procedures for the annexation of contiguous land within the 3-mile platting jurisdiction. |
| BPG-3.1B | Future Land Use Flexibility – Provide flexibility in applying the Future Land Use categories by encouraging a range of densities and mix of land uses as specified by the Future Land Use Plan. |
|  <p align="center">A Vibrant, Livable Community</p> | |
| N/A | N/A |
|  <p align="center">A Safe, Healthy, Inclusive, and Skilled Community</p> | |
| N/A | N/A |
|  <p align="center">Efficient Transportation and Infrastructure Systems</p> | |
| TI-1 | Planning for the Efficient Provision and Maintenance of Infrastructure – Public infrastructure facilities and services need to serve the community, such as potable water, sanitary sewer and storm drainage, will be provided for, maintained, and expanded efficiently. |
|  <p align="center">Economic Stability and Growth</p> | |
| N/A | N/A |
|  <p align="center">Outstanding Recreational and Cultural Opportunities</p> | |
| N/A | N/A |



Responsive, Accessible, and Effective Governance

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| GOV-2.1A | <u>Public Input Opportunities</u> : The rezone requires notification of surrounding property owners and posting of a sign on the property. These notification requirements allow public input into the associated rezoning of the property. As of this writing, there have been no inquiries into the requested rezone. |
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Comprehensive Plan Conformance – Growth and Reinvestment Chapter

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| Future Land Use Plan Designation(s): | LI w/ Community Activity Center |
| Design Standards: N/A | |
| N/A | N/A |

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

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| Neighborhood: | South Robbinsdale Neighborhood |
| Neighborhood Goal/Policy: | |
| EW-NA1.1C: | <u>Annexation</u> : Require the annexation of contiguous properties within the City's Urban Services Boundary when development occurs. |
| EW-NA1.1E | <u>Urban Services</u> : Allow the extension of City infrastructure within the Urban Services Boundary to serve new and existing development. |

The Development Review Team Recommends that the request to rezone property from General Commercial District to Medium Density Residential District be approved for the following reasons:

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| • | The petition for annexation of this property was approved by the Planning Commission on September 10, 2015. |
| • | Following annexation, the City has 120 days to rezone annexed property from the No Use District. |
| • | The proposed future use of the property as a financial services company is consistent with the comprehensive plan. |
| • | Consideration has been given to the four criteria in 17.54.040.D of the Rapid City Municipal Code the Planning, as described above. |

Staff recommends that the requested rezone from No Use District to General Commercial District be approved contingent on the approval of the associated annexation (15AN002).