

# STAFF REPORT

June 8, 2000

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## **RZN #00RZ021 - Rezoning from Medium Density Residential to Office Commercial**

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### GENERAL INFORMATION:

PETITIONER	Patrick R. Hall
REQUEST	<b>RZN #00RZ021 - Rezoning from Medium Density Residential to Office Commercial</b>
LEGAL DESCRIPTION	South 1/2 of Lot 4R and Lots 5 and 6, less Greenway Tract 11, Laws Subdivision located in the NW1/4 of NE1/4, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .408 Acres
LOCATION	600 Dakota Drive
EXISTING ZONING	Medium Density Residential
SURROUNDING ZONING	
North:	General Commercial
South:	Flood Hazard
East:	Flood Hazard
West:	Medium Density Residential
PUBLIC UTILITIES	City Sewer and Water
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the rezoning from the Medium Density Residential to the Office Commercial Zoning District be approved in conjunction with City Council approval of a Planned Development Designation or Planned Commercial Development.

GENERAL COMMENTS: The applicant has submitted this request to rezone a 17,772 square foot parcel of property from the Medium Density Residential to the Office Commercial Zoning District. The subject property is currently undeveloped. The property is located directly southwest of the McDonalds Restaurant at 2223 West Main Street. Additional parking for the McDonalds Restaurant is located due north of the subject property. On the opposite side of Dakota Drive is the Taco Bell Restaurant located to the northwest of the subject property, and single-family and multi-family residences to the west of the subject property. The land south and east of the subject property is part of the Rapid City Greenway Tracts with the bike path being located approximately 150 feet to the east. The property is located within the 500 year floodplain boundary along Rapid Creek.

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STAFF REVIEW: Staff has evaluated this rezoning request with respect to the four criteria established for review of zoning map amendments established in Section 17.54.040(D)(1). A summary of Staff findings is outlined below:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and districts affected or in the City in general.*

With the exception of the Flood Hazard Zoning District to the south and east of the subject property, most of the other surrounding zoning is Medium Density Residential or General Commercial. The Medium Density Residential Zoning District is the predominant zoning district between West Main Street and Canyon Lake Drive. General Commercial Zoning exists along West Main Street and in most places extends 250 feet to 350 feet back from the street before the Medium Density Residential Zoning District begins.

Staff believes the proposal to rezone the subject property to the Office Commercial Zoning District is reflective of changing conditions. Much of the area surrounding the subject property was originally developed fifty years ago or more. The City has experienced significant growth since that time and additional areas along West Main Street, and other similar traffic arterials, have been rezoned commercially. Moreover, as discussed below, the Office Commercial Zoning District will provide a buffer between the higher-intensity General Commercial land uses to the north and the park uses to the south and the residential development to the west.

2. *The proposed zoning is consistent with the intent and purposes of this ordinance.*

Staff has reviewed this proposed rezoning with the City's Future Land Use Planning Committee who has indicated that it is appropriate to rezone the property to the Office Commercial Zoning District provided that a Planned Development Designation or a Planned Commercial Development is also approved. This recommendation will help ensure that the objectives of the Office Commercial Zoning District are met. According to Section 17.40.010 of the Rapid City Municipal Code the Office Commercial Zoning District is "...intended to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas."

Staff further believes this rezoning is appropriate given the location of the subject property near the center of the City and adjacent to residential neighborhoods. The objectives of the Office Commercial Zoning District also state that: "Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods."

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- 3. The proposed amendment will not adversely affect any other part of the City, nor shall any direct or indirect adverse effects result from such an amendment.*

Staff believes rezoning the subject property to the Office Commercial Zoning District will not adversely affect any surrounding areas or the City in general. The Office Commercial Zoning District in conjunction with a Planned Commercial Development will allow the property to develop in such a way to provide a buffer between the General Commercial land uses on one side and the park and residential land uses on the other sides.

- 4. The proposed amendments shall be consistent with and not conflict with the Development Plan of Rapid City including any of its elements, Major Street Plan, Land Use Plan and Community Facilities Plan.*

The City's Future Land Use Planning Committee is currently developing the draft Future Land Use plan for this portion of the community. As mentioned earlier, the committee has reviewed this rezoning proposal specifically and has recommended that the property be rezoned to the Office Commercial Zoning District provided that a Planned Development Designation or Planned Commercial Development be approved at the same time. The committee felt that the Planned Commercial Development would allow issues such as traffic, access and landscaping to be addressed in such a way as to mitigate adverse impacts upon adjacent residential areas.

The required rezoning sign has been posted on the property. As of this writing, the receipts from the certified mailing have not yet been returned. Staff will notify the Planning Commission on June 8, 2000 if the receipts are not received by then. Staff has received one telephone inquiry regarding this request. On June 1, 2000 Ms. Ellen Paul who resides at 605 Dakota Drive contacted Staff. She stated that she lived across the street from the subject property and she expressed concern with increased traffic through the residential area should the rezoning be approved. A letter from Ms. Paul has also been received (see attached).

Based on conformance with the criteria for review of zoning map amendments, Staff recommends that the request to rezone this property from the Medium Density Residential Zoning District to the Office Commercial Zoning District with a Planned Development Designation or Planned Commercial Development be approved.