

STAFF REPORT

March 22, 2001

No. 01RZ005 - Rezoning from Medium Density Residential District to General Commercial District **ITEM 26**

GENERAL INFORMATION:

PETITIONER	Canyon Lake Park, LLC
REQUEST	No. 01RZ005 - Rezoning from Medium Density Residential District to General Commercial District
LEGAL DESCRIPTION	The east 125 feet of north 125 feet of Lot C of Lot Two (2) of Hughes Tract located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .36 Acres
LOCATION	4009 Lakeview Drive
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Commercial District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Water and Sewer
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Rezoning from Medium Density Residential District to General Commercial District be denied.

GENERAL COMMENTS: The applicant is proposing to rezone a .36 acre parcel from Medium Density Residential Zoning District to General Commercial Zoning District. The property is located at 4009 Lakeview Drive. The sixteen foot wide right-of-way Lakeview Drive right-of-way does not meet the City minimum standards for an alley or a street right-of-way. A single family residence currently exists on the property. Surrounding land uses include single family residence to the north, a single family residence to the east, a multi-family dwelling unit to the west, and the former Fitness Center, a dentist office and motel to the south.

The applicant has submitted an associated Planned Commercial Development request for this property and the property formally occupied by the Fitness Center. The applicant is proposing to convert the former Fitness Center into an office building with a total of 25,000 gross square feet of floor area. The applicant is proposing to use the subject property as an employee parking lot for the proposed office building.

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STAFF REVIEW: Staff has reviewed this request for conformance with the four criteria for review of zoning map amendments established in Section 17.54.040(D)(1). A summary of Staff findings are 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.

No significant changes have occurred in this neighborhood over the past ten years. The property to the south was zoned commercial in 1968. Several properties a block east of the site were rezoned and developed as Office Commercial uses in the early 1980's. No additional property has been designated for commercial use since early 1980's. The property along Lakeview Drive is a developed neighborhood composed of a mixture of single family residences and multi-family developments. The intersection of Lakeview Drive and Canyon Lake Drive is located 450 feet to the west of the site. The property at that intersection is zoned General Commercial. Those properties have been designated as commercial since 1968. Staff has not identified any changing conditions in the area or City that warrants the changing of the zoning in this area.

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

The purpose of the General Commercial zoning is to provide for personal and business services and the general retail business of the city. The property is not located directly on an arterial or collector street; however, the adjacent property does front on an arterial roadway. The majority of the surrounding land uses is residential. General Commercial districts are not generally located in residential areas with access on substandard lane/place streets. The Zoning Ordinance allows Planned Commercial Development which is intended to make commercial development compatible with adjoining land use and mitigate negative impacts upon public facilities. The applicant has submitted a Planned Commercial Development in association with the rezoning request to try to mitigate the impacts on the surrounding neighborhood.

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.

The proposed rezoning encroaches into a residential neighborhood and is located on a substandard street. The potential impacts on the surrounding residential properties include the following: increase in traffic to the area and duration due to hours of operation, potentially undesirable land uses directly abutting residential property and increased noise and light. The rezoning of the property can potentially set a precedent for additional commercial rezoning in the vicinity.

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.

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The Rapid City Comprehensive Plan 5th Year Update long range land use plan identified this area as appropriate as Residential development. The draft West Rapid Neighborhood Area Future Land Use Plan identifies the property as appropriate for Medium Density Residential land uses. The Future Land Use Committee had originally proposed additional Office Commercial development along the Jackson Boulevard corridor. During two neighborhood meetings, the residents of the area vehemently opposed any additional commercial development. The Future Land Use Study Committee has extensively discussed of the Neighborhood Area residents' desire to maintain the residential nature of the neighborhood along Jackson Boulevard. They have also discussed the potential for future Office Commercial development in this area. While the Committee has not resolved this issue, the current draft identifies no additional commercial land uses on Jackson Boulevard. However, a note has been included in the draft stating "future expansion of office commercial zoning district may be proposed by developers in the future." The proposed rezoning is not compatible with the currently adopted Comprehensive Plan or with the draft West Rapid Neighborhood Area Future Land Use Plan.

The green cards from the notification of surrounding property owners have not been returned at the time of writing this report. A sign stating a rezoning of this property has been requested has been posted on the property.

Staff has received comments from three of the surrounding residents. Initially, one of residents was opposed to the proposed development; however, the applicant had a neighborhood meeting with the property owners and one neighbor has expressed support for the proposed development. Staff has received letters from two other property owners in support of the rezoning request. Additional comments were received from area residents expressing concern with the precedent this rezoning could establish.