

STAFF REPORT

September 20, 2001

No. 01RZ053 - Rezoning from Neighborhood Commercial District to General Commercial District **ITEM 21**

GENERAL INFORMATION:

PETITIONER	Dave M. Handley
REQUEST	No. 01RZ053 - Rezoning from Neighborhood Commercial District to General Commercial District
LEGAL DESCRIPTION	The east 195 feet of Lot 2 and Lot 3, Block 1, Hansen Heights Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.11 acres
LOCATION	420 East Saint Patrick Street
EXISTING ZONING	Neighborhood Commercial District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Neighborhood Commercial District
East:	Neighborhood Commercial District
West:	Medium Density Residential District/Neighborhood Commercial District
PUBLIC UTILITIES	City Water and Sewer
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Rezoning from Neighborhood Commercial District to General Commercial District be denied.

GENERAL COMMENTS: The applicant is proposing to rezone a 2.11 acre parcel from Neighborhood Commercial Zoning District to General Commercial Zoning District. The property is located on the north side of East Saint Patrick Street and east of Elm Street. A mini-mall was built on the site in 1998.

The surrounding land uses consist of vacant property to the north and the east. Both of these properties are zoned Medium Density Residential. A recreational center, the Rising Star Gymnastics center, is located directly to the west of the property. On the south side of Saint Patrick Street, a series of multi-family residences are located with single-family residences located directly to the south of the multi-family residences.

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:

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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.

Staff has not identified any substantial changes to this area that would warrant the change to the General Commercial Zoning District. The property was developed under the Neighborhood Commercial Zoning District regulations. The property to the west was converted into a gymnastic center in 1999 in accordance with the Neighborhood Commercial Zoning District regulations.

Staff has identified that the vacant General Commercial property to the east has not seen any significant development over the past few years. There is a large General Commercial property located east of this site (on the south side of St. Patrick Street) which remains undeveloped. There are also several vacant or under utilized commercial properties that are located along Saint Patrick Street. Staff has not identified any need or change in this area that would necessitate the change in the zoning.

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

The purpose of the General Commercial Zoning District "is for personal and business services and the general retail business of the city". While the intent of the Neighborhood Commercial Zoning District "is to provide areas in which the principal use of land is devoted to the neighborhood store or group of stores serving the population of the immediate area." This area has been designated Neighborhood Commercial to serve the "Old Robbinsdale" neighborhood area and act as a transition between the more intense commercial activity located to the east and the residential area to the west. Staff finds that rezoning the property to General Commercial would not be consistent with the ordinance.

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 General Commercial Zoning District would allow more intense commercial uses. Also, a companion request has been submitted for a Use On Review for an on-sale liquor establishment to be allowed in the mini-mall. The potential impacts from more intense commercial uses on the surrounding properties include: increases in traffic volumes through the area, increased duration of traffic due to hours of operation, and increased noise and light impacting the existing residential properties. The proposed on-sale liquor establishment would require additional parking that is currently not available on site.

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 Rapid City Comprehensive Plan identified this area as appropriate for commercial uses. The property was zoned Neighborhood Commercial as part of the comprehensive rezoning

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of the City that occurred in 1968. Saint Patrick Street is classified as a Principal Arterial on the Major Street Plan. The existing zoning is consistent with the Comprehensive Plan and no need justifying the change in the zoning as been identified.