

## STAFF REPORT

November 21, 2001

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### **No. 01RZ062 - Rezoning from Medium Density Residential District to General Commercial District**

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**ITEM 26**

#### GENERAL INFORMATION:

PETITIONER	Harvey Colgrove
REQUEST	<b>No. 01RZ062 - Rezoning from Medium Density Residential District to General Commercial District</b>
LEGAL DESCRIPTION	Lots 31-34 of Block 12 of Blakes Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .28 acres
LOCATION	305 LaCrosse Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	General Commercial District (PCD)
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 has submitted a request to rezone a 12,577 square foot parcel from Medium Density Residential to General Commercial. The applicant submitted a similar request for the rezoning of the subject property from Medium Density Residential to General Commercial in 1996 and in 1998. Both rezoning requests were denied without prejudice. The applicant did not apply for a related Planned Commercial Development in 1996. In 1998, the applicant applied for a Planned Commercial Development to allow the construction of a two-story 3,225 square foot building situated on the north portion of the lot. The ground floor was proposed to be used for new and used merchandise retail and storage, while the second floor was proposed to be used as a residence and additional storage. The applicant has now submitted this rezoning request and a Planned Commercial Development-Initial and Final Development Plan requesting approval to use the property for a used car lot on the subject property.

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The property is located at the northwest corner of the intersection of New York Street and LaCrosse Street. The property is bounded on the north, south and west by property zoned Medium Density Residential and on the east by property zoned General Commercial with a Planned Commercial Development overlay.

STAFF REVIEW: Concerns have repeatedly been raised relative to the type of development that could occur on the property if the property was rezoned to General Commercial. Concerns have focused on the impacts of commercial development on the surrounding residential land uses, potential traffic generated, types of commercial activity that would be permitted, and the hours of operations. This Staff review was completed in conjunction with the review of the proposed Planned Commercial Development. Staff has reviewed this proposed rezoning 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.***

The site abuts property zoned Medium Density Residential to the north, west, and south. The property to the east was rezoned in conjunction with a Planned Commercial Development (PCD) in 1985. At that time, the proposed use was the headquarters of the Retired Enlisted Association. In 1994, the PCD was amended to allow an auto body shop on the north one-half of the property. This was approved with the understanding that the south one-half would need to have a Major Amendment to the approved Planned Commercial Development prior to any development of that property. No plans have been approved for the south one-half of that block. Concerns with commercial development in this area have also been raised due to proximity of the Berquist Elementary School located one block east of the site as well as the residential character of the area.

The North Rapid Neighborhood Future Land Use Plan identifies that the subject property and the property to the north and south are appropriate for office commercial uses. The land use plan identified a transition from the arterial street with office commercial uses to the residential uses to the west.

***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. Concerns have been expressed with the type of development that could occur on General Commercial property in this area. The majority of the surrounding land uses are residential. As part of the companion Planned Commercial Development application, the applicant has proposed an automotive sales lot.

During the rezoning hearings in 1996 and 1998, the neighbors expressed concerns regarding the potential use of the property for a convenience store, bar, and other land uses

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which might have a negative impact on adjacent residential properties in terms of noise and vehicular intrusions. Those concerns remain relative to the current rezoning request.

***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.***

As alluded to earlier, the majority of surrounding land uses are residential. Rezoning this property to General Commercial could result in significantly adverse effects to these surrounding areas due to increased vehicular and pedestrian traffic, noise, and lighting.

***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 - North Rapid Neighborhood Future Land Use Plan identifies an approximately 225 foot wide strip of office commercial land uses appropriate for the west side of Lacrosse Street in this area. The Future Land Use Plan also identifies that the office commercial development is only appropriate with an associated Planned Commercial Development overlay. The proposed request for General Commercial Zoning District is not consistent with the adopted Land Use Plan for this area.