

STAFF REPORT

April 25, 2002

**No. 02RZ019 - Rezoning from Neighborhood Commercial District
to Office Commercial District**

ITEM 42

DATE OF APPLICATION 03/21/2002

REPORT BY Lisa Seaman

RECOMMENDATION:

Staff recommends that the rezoning request from Neighborhood Commercial District to Office Commercial District be approved.

GENERAL COMMENTS:

This rezoning request has been submitted to rezone approximately 1,935 square feet from Neighborhood Commercial Zoning District to Office Commercial Zoning District. The property is a portion of the Black Hills Food Bank lot and is located east of North Maple Street and north of East Adams Street. This request is a companion item to a Preliminary and Final Plat (file #02PL005) request and a Final Planned Commercial Development (file #02PD003) request. The proposed platting will create a 4.355 acre tract by combining two lots owned by Youth and Family Services and a portion of the adjacent Black Hills Food Bank property into one lot. This request proposes to rezone that portion of the Black Hills Food Bank property that is being platted into the Youth and Family Services property from Neighborhood Commercial Zoning District to Office Commercial Zoning District.

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 the City in general.*

The property located directly east of the subject property has recently been purchased by the Youth and Family Services and is the future location of the Girls Inc. and day care programs operated by Youth and Family Services. The Youth and Family Services intend to construct a building on the adjacent property and are in the process of obtaining the subject property to provide access to the rear of the proposed facility. The rezoning of the subject property is an appropriate response to the continuation of the Office Commercial development of this area.

2. *The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

The description of the Office Commercial District states that it is intended to provide areas for institutional and office uses that are surrounded by landscaped yards and open spaces. The land, space and aesthetic requirements of office commercial uses make them desirable in either a central location or a suburban location, close to residential neighborhoods. The subject property has a central location and is near residential neighborhoods. Staff believes that rezoning this property is consistent with the intent and purposes of the ordinance.

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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 amendment.*

The proposed rezoning would allow for the continuation of Office Commercial uses within the area. The limited uses allowed under the Office Commercial Zoning District and the control afforded by the accompanying Planned Commercial Development will promote development which will be compatible with the adjacent residential neighborhood. The amendment does not appear to adversely affect any part of the City.

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.*

The North Rapid Future Land Use Plan identifies this property as being appropriate for Neighborhood Commercial land uses. However, the area is a small (26 foot by 74 foot) extension of the Office Commercial land use area. Staff believes that the change is consistent with the intent of the adopted Future Land Use Plan. The Final Development Plan for the Planned Commercial Development must be approved before any Building Permits are issued.

As of this writing, the receipts from the certified mailing have not yet been returned, but the rezoning sign has been posted on the property