

STAFF REPORT

June 26, 2003

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**No. 03RZ015 - Rezoning from Medium Density Residential District to General Commercial District**      **ITEM 28**

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GENERAL INFORMATION:

PETITIONER	DLK Engineering for South Creek Village Limited Partnership
REQUEST	<b>No. 03RZ015 - Rezoning from Medium Density Residential District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	Beginning at the SE Section Corner of Section 7, T1N, R8E, BHM; thence N89°32'15"W a distance of 639.26 feet more or less; thence N00°00'35"W a distance of 50 feet more or less to the True Point of Beginning; this point is the common corner of the South East corner of Lot 2 Fellowship Addition and the South West corner of the remaining balance of Lot 2 Superpumper Addition; thence N00°00'35"W a distance of 610.83 feet more or less; thence N89°29'15"W a distance of 22.78 feet more or less; thence N00°02'07"E a distance of 330.81 feet more or less; thence S89°37'12"E a distance of 261.89 feet more or less; thence S00°01'35"W a distance of 942.35 feet more or less; thence N89°32'15"W a distance of 239.26 feet more or less to the True Point of Beginning
PARCEL ACREAGE	Approximately 12.8986 acres
LOCATION	Northwest of the intersection of Cambell Street and Fairmont Boulevard
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District/General Commercial District
South:	Light Industrial District
East:	General Commercial District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	03/14/2003
REPORT BY	Vicki L. Fisher

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---

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#### RECOMMENDATION:

Staff recommends that the Rezoning request from Medium Density Residential District to General Commercial District be **approved in conjunction with the Planned Development Designation and the Comprehensive Plan Amendment request.**

#### GENERAL COMMENTS:

**This item has been continued since the April 10, 2003 Planning Commission meeting to allow it be heard in conjunction with a Planned Development Designation and a Comprehensive Plan Amendment request. This Staff Report has been revised as of June 15, 2003. All revised and/or added text is shown in bold print.** The applicant has submitted a request to rezone the above legally described property from Medium Density Residential District to General Commercial District. In addition, the applicant has submitted a Comprehensive Plan Amendment request to change the future land use designation on the above legally described property from residential to general commercial. The applicant has also submitted a Layout Plat to subdivide approximately 10 acres located directly west of the subject property into two residential lots. (See companion items #03CA007 and 03PL028.)

The property is located in the northwest corner of the Cambell/Street Fairmont Boulevard intersection and is currently void of any structural development.

#### STAFF REVIEW:

The subject property is located in an area that currently allows a mixture of use(s). The properties to the east and south are zoned General Commercial District and Light Industrial District, respectively. The properties to the north and west are zoned Medium Density Residential District. As such, staff is recommending that this item be reviewed by the Future Land Use Committee to determine the best and highest use of the property.

On May 1, 2003, the applicant met with the Future Land Use Committee to discuss the Comprehensive Plan Amendment request and the associated rezoning request. The Future Land Use Committee voiced concern with the location of the subject property in close proximity to the intersection of Cambell Street and Fairmont Boulevard, a principal arterial street and a minor arterial street, respectively. In particular, the Future Land Use Committee noted that traffic issues may result if additional high volume general commercial use(s) are allowed at this intersection. The Committee expressed some concerns with the large amount of general commercial being provided at this location. However, the Committee felt that the designation of additional general commercial land use at this location could assist in upgrading the quality of development along Cambell Street in this vicinity. The Committee felt the property was well bermed by topographic features and existing development creating a natural node for commercial development at this intersection. For these reasons the Committee supported the requested amendment with the provision that the entire parcel be designated as General Commercial with a Planned Commercial Development. **On May 12, 2003, the applicant submitted a Comprehensive Plan Amendment request and a Planned Development Designation request as identified above. These items will be heard at the June 26, 2003 Planning Commission meeting.**

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---

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---

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. 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 district affected, or the City in general.*

The east half of the subject property is currently zoned General Commercial District. The balance of properties located along this corridor of Cambell Street is currently zoned General Commercial, Light Industrial and/or Heavy Industrial District. The completion of Catron Boulevard, a significant east-west arterial connection located approximately  $\frac{3}{4}$  mile south of the subject property, have changed conditions within the area to support the extension of commercial development. Catron Boulevard as well as U.S. Highway 16 serve as a major gateway between Rapid City and Mount Rushmore, making the area desirable for commercial activities to serve the traveling public. In addition, a substantial amount of residential development exists and/or is being proposed located north and west of the subject property. The general commercial use(s) allowed in the General Commercial District will serve the needs of the residential development(s) existing and proposed within this area. The proposed Planned Development Designation will serve as a tool to mitigate any negative impact the commercial development may create and to address the issues, traffic concerns and topographic and drainage concerns specific to the subject property.

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

The purpose of the General Commercial District as stated in the Zoning Ordinance is to "...provide for personal and business services and the general retail business of the City". The location of the property adjacent to Cambell Street and Fairmont Boulevard, a principal arterial street and a minor arterial street, respectively, makes it a desirable location for general commercial activities serving the general retail business needs of the community.

- 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.*

Staff does not believe that rezoning this property will result in any significant adverse impacts if approved in conjunction with the associated Planned Development Designation. The additional review provided by a Planned Residential Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site.

- 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.*

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June 26, 2003

---

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---

**As previously indicated the applicant has submitted a Comprehensive Plan Amendment to change the future land use designation on the subject property from Residential to General Commercial with a Planned Commercial Development. Staff is recommending that the associated Comprehensive Plan Amendment be approved in conjunction with this Rezoning request in order to maintain conformity with the City's adopted plan.**

**The receipts from the certified mailing have been returned and the sign has been posted on the property. As of this writing, Staff has not received any calls regarding this proposal.**