

STAFF REPORT

May 24, 2001

No. 01RZ021 - Rezone from Park Forest District to Office ITEM 35
Commerical District

GENERAL INFORMATION:

PETITIONER Wyss Associates, Inc. for W.E.B. Partners

REQUEST **No. 01RZ021 - Rezone from Park Forest District to Office Commerical District**

LEGAL DESCRIPTION From a point 973.88 feet at a bearing S 89° 39' 0" East from the NW corner of SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 1363.79 feet at a bearing S 89° 39' 0" East, then travel 107.83 feet at a bearing S 57° 14' 9" West, then travel 63 feet at a bearing S 38° 41' 0" West, then travel 89 feet at a bearing S 68° 55' 0" West, then travel 47 feet at a bearing S 54° 43' 0" West, then travel 95 feet at a bearing S 47° 3' 0" West, then travel 77 feet at a bearing S 69° 31' 0" West, then travel 96.4 feet at a bearing S 34° 30' 44" East, then travel 254.50 feet at a bearing S 45° 26' 11" West, then travel 96.4 feet at a bearing S 34° 30' 44" East, then travel 161.87 feet at a bearing S 55° 19' 7" West, then travel 138.89 feet along a 270 foot RHF curve with a chord bearing of S 40° 34' 54" West, then travel 439.52 feet at a bearing N 45° West, then travel 248.58 feet at a bearing N 85° 49' 37" West, then travel 65.15 feet at a bearing West, then travel 392.28 feet at a bearing N 0° 21' 0" East to the point of start, and From a point 310.41 feet North and 1708.11 feet East of the SW corner of NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East of Black Hills Meridian, travel 100.82 feet at a bearing N 22° 2' 42" West, then travel 256.55 feet along a LHF curve with a radius of 190 feet and a chord bearing N 16° 38' 12" East, then travel 161.187 feet at a bearing N 55° 19' 7" East, then travel 187.59 feet at a bearing S 34° 35' 20" East, then travel 300.07 feet at a bearing S 45° West, then travel 74.01 feet at a bearing S 51° 4' 20" West to the point of start, and From a point 921.75 feet North and 1044.68 feet East of the SW corner of NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East of Black Hills Meridian, travel 248.58 feet at a bearing S 85° 49'37" East, then travel 129.8 feet at a bearing South, then travel 319.54 feet at a bearing S 50° 52' 56" West, then travel 349.50 feet at a bearing North to the point of start, all located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.

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PARCEL ACREAGE 13.64

LOCATION west of the western terminus of Fairmont Boulevard and north of Tower Road

EXISTING ZONING Park Forest District

SURROUNDING ZONING

North: General Commercial District/Planned Commercial Development

South: Park Forest District

East: General Commercial District/Planned Commercial Development

West: Park Forest District

PUBLIC UTILITIES City water and sewer to be extended

REPORT BY Blaise Emerson

RECOMMENDATION: Staff recommends that the Rezone from Park Forest District to Office Commerical District be approved contingent on the associated Planned Residential Development and Comprehensive Plan Amendment being approved.

GENERAL COMMENTS: The applicant is proposing to develop a 61.75 acre tract that is located west of the Ridco Development and east of the Skyline Pines development. There are two large draws located on the north and south sides and the remaining property is a semi-forested hillside. The applicant is proposing three development components: a single family residential extension of Skyline Pines Subdivision to be located on the west side of the property and on the highest portion of the property; a multi-family development that will act a buffer between the commercial property to the east and a single family residential property to the west; and, an office commercial development located along the east side of the property. The applicant is proposing to construct Fairmont Boulevard to the west and south to connect to Tower Road in the future.

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.*

The property in the Mount Rushmore Road and Fairmont Boulevard/Cathedral Drive area has seen a growth in commercial development over the past fifteen years. The property is located directly to the east of the Ridco jewelry manufacturing business. That property was

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rezoned General Commercial in 1987 with the General Commercial Zoning District expanded in 1991 and again in 1999. The property on the east side of the intersection has been developing as a commercial node with a convenience store, hotel, fast food restaurants and medical office facilities. The applicant is proposing to rezone the property to Office Commercial as a transition from the General Commercial land uses to the east to the residential land use to the west.

2. The proposed zoning is 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 Zoning Ordinance allows Planned Commercial Developments which is intended to make commercial development compatible with adjoining land uses as well as mitigate negative impacts upon public facilities.

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 potential impacts of the proposed rezoning on the surrounding residential property include the following: increased traffic through the area and extended duration due to the hours of operation, and increased noise and light impacting the residential properties. Due to the terrain, Staff is concerned with potential erosion and drainage from this property onto neighboring properties. The potential impacts can be mitigated through the Planned Development process to insure that the office commercial development is compatible with the adjoining land uses.

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 Area 2000 Plan classifies this area as "Limited Agriculture, Agriculture and Forest". The plan states that these areas, for reason of terrain, suitability for agriculture or distance from logical and necessary public services are proposed to remain in an undeveloped state or a low density development. Generally speaking, lot sizes in excess of three acres should be maintained in these areas. Staff's review noted that the land in question is not suitable for agriculture purposes. Public services, including sewer and water are currently located adjacent to the site. A Comprehensive Plan Amendment is required before the rezoning request can be approved. Staff would support a Comprehensive Plan Amendment to the Rapid City Area 2000 Plan from Agriculture, Limited Agriculture, and Forest to Residential based on the facts stated above.