

STAFF REPORT

July 26, 2001

No. 01RZ032 - Rezoning from General Commercial District to Medium Density Residential District **ITEM 44**

GENERAL INFORMATION:

PETITIONER Fisk Engineering for Paul Bradsky for Wal-East Development, Inc.

REQUEST **No. 01RZ032 - Rezoning from General Commercial District to Medium Density Residential District**

LEGAL DESCRIPTION A portion of Lot Two (2) of Lot K2-C of Marshall Heights Tract, located in the Southwest One-Quarter (SW1/4) of Section Thirty (30), Township Two North (T2N), Range Eight East (R8E) of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the southwest corner of said Lot Two (2) of Lot K2-C of Marshall Heights Tract; Thence, northerly along the westerly line of said Lot Two (2) a distance of 109.5 feet; Thence, N 89 degrees 59 minutes 32 seconds E, a distance of 77.5 feet; Thence, S 00 degrees 01 minutes 28 seconds E, a distance of 6.5 feet; Thence, N 89 degrees 59 minutes 32 seconds E, a distance of 113.1 feet, more or less; Thence, N 00 degrees 01 minutes 20 seconds W, a distance of 6.5 feet; Thence, N 89 degrees 59 minutes 32 seconds E, a distance of 77.5 feet to a point on the easterly line of said Lot Two (2); Thence, southerly along the easterly line of said Lot Two (2) a distance 109.5 feet to the southeast corner of said Lot Two (2); Thence, westerly along the southerly line of said Lot Two (2) a distance of 268.15 feet, more or less, to the point of beginning

PARCEL ACREAGE approximately 0.657 acres

LOCATION on Knollwood Drive east of the intersection of Maple Avenue and Knollwood Drive

EXISTING ZONING General Commercial District

SURROUNDING ZONING

North: Shopping Center I District
South: Medium Density Residential District
East: Medium Density Residential District
West: General Commercial District

PUBLIC UTILITIES City Water and Sewer

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REPORT BY Blaise Emerson

RECOMMENDATION: Staff recommends that the Rezoning from General Commercial District to Medium Density Residential District be approved contingent on the associated Planned Residential Development and Comprehensive Plan Amendment being approved.

GENERAL COMMENTS: The applicant is proposing to rezone a portion of the lot from General Commercial to Medium Density Residential. The property was zoned from Office Commercial to General Commercial in 2000. The property owner subsequently placed an off-premise sign (billboard) on the property. The applicant is now requesting to rezone a portion of the property to Office Commercial to allow for the construction of an apartment building. An associated Comprehensive Plan Amendment, Planned Residential Development and Planned Commercial Development requests have been submitted for the property.

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.

Staff has noted that the land uses and zoning in this portion of the community have remained relatively constant other than the rezoning of the subject property to General Commercial in 2000. Although the subject lot is located next to the Interstate and close to the Rushmore Regional Mall, the area surrounding it has remained largely developed with multi-family housing. Other than the corner of the Maple Avenue and Knollwood Drive, the commercial development of the area south of the Interstate highway has been very limited.

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

The intent of the Medium Density Residential Zoning District is to provide areas for the development with higher residential density. The applicant has submitted an associated Planned Residential Development to develop a 36 dwelling units apartment building on the property.

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 proposed rezoning would not appear to have significant adverse effects on any other part of the City. The location of the Rushmore Mall and the other commercial development around the mall provide adequate services for the proposed residential density.

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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 North Rapid Neighborhood Future Land Use Plan identifies this property appropriate for General Commercial land uses. The applicant had requested that the land use designation of the subject property be reclassified from Office Commercial to General Commercial land use designation in 2000. The Future Land Use Committee has recommended approval of the reclassification of the property from General Commercial to Medium Density Residential. The proposed amendment complies with the City's Development Plans if the associated Comprehensive Plan amendment is approved.