

STAFF REPORT
April 22, 2004

No. 04RZ021 - Rezoning from Park Forest District to Office Commercial District **ITEM 30**

bearing S34°24'28"E to a point; thence travel 84.11 feet at a bearing S45°11'37"W to a point; thence travel 1270.61 feet at a bearing N89°27'22"W to the point of beginning

PARCEL ACREAGE Approximately 38.46 Acres

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

EXISTING ZONING Office Commercial District/Medium Density Residential District (PD)

SURROUNDING ZONING

 North: Low Density Residential District/General Commercial District (PD)

 South: General Agriculture District (PD)

 East: General Commercial District (PD)

 West: Low Density Residential District (PD)

PUBLIC UTILITIES City water and sewer

DATE OF APPLICATION 03/26/2004

REPORT BY Todd Tucker

RECOMMENDATION:

Staff recommends that the rezoning from Park Forest District to Office Commercial District be approved.

GENERAL COMMENTS:

The subject property is located north of Tower Road and west of Mt. Rushmore Road. The property is currently void of any structural development and is zoned Park Forest District. The applicant submitted an application to rezone the southern portion of this property from General Agriculture to Office Commercial with a Planned Development Designation and a related Amendment to the Comprehensive Plan to change the land use from Residential to Office Commercial with a Planned Commercial Development. That request was heard at the April 8, 2004 Planning Commission meeting and was continued to the April 22, 2004 Planning Commission meeting. The applicant has now submitted this request to rezone the remainder of that property from Park Forest District to Office Commercial District.

The applicant has submitted several applications for proposals located in the Tower Road area. In addition to this rezoning request, the applicant has submitted numerous other applications that will be heard at the April 22, 2004 Planning Commission meeting, and the May 6, 2004 Planning Commission meeting. Those applications consist of rezoning requests, Comprehensive Plan Amendments, and Layout Plats.

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STAFF REVIEW: 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).

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 recent development of property located north west of the subject property has brought the extension of water and sewer to the area. The close proximity of water and sewer makes substantial changes in the condition of the area and increases the potential development of the subject property as well as the surrounding area. The applicant has submitted several applications for development of the Tower Road area, including this office commercial site.

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

The Office Commercial Zoning District is intended to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods. The Office Commercial District provides a good transition and buffer between the more intense General Commercial Districts located to the north and east of the subject property and the lower density residential districts located to the west of the subject property. Rezoning the subject property from Park Forest District to Office Commercial District appears to be consistent with the intent of this ordinance as it will provide the needed buffers in this transitional area.

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 subject property will require an extension of a commercial street from Tower Road to Fairmont Boulevard to provide road connectivity within this area. Zoning the subject property from Park Forest District to Office Commercial District will create additional traffic. A request for a Planned Development Designation (04PD022) has been submitted in conjunction with this rezoning application. The Planned Commercial Development – Initial and Final Development Plan will address site specific concerns relative to drainage, slope stability, traffic and street improvements on the subject property.

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 Future Land Use Committee met on March 26, 2004 and recommended an Amendment to the Comprehensive Plan to change the land use on the subject property from Residential land use to Office Commercial with a Planned Commercial Development land use.

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If the related Amendment to the Comprehensive Plan (04CA011) to change the land use designation on the subject property from Residential to Office Commercial with a Planned Commercial Development is approved, then this amendment will be consistent with the City's Comprehensive Plan.

As of this writing, the required rezoning sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the April 22, 2004 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.