

STAFF REPORT
May 27, 2004

No. 04RZ031 - Rezoning from Office Commercial District to General Commercial District **ITEM 14**

GENERAL INFORMATION:

PETITIONER	Adam Altman for Lincoln & Talbot Limited Partnership I
REQUEST	No. 04RZ031 - Rezoning from Office Commercial District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lots 4 thru 8, Block 1, Tower Ridge 2 Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.7975 acres
LOCATION	Along Tablerock Road
EXISTING ZONING	Office Commercial District w/Planned Development Designation
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District w/Planned Development Designation
East:	Officer Commercial District w/Planned Development Designation / Park Forest District
West:	General Commercial District w/Planned Development Designation
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	04/14/2004
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

Staff recommends that the Rezoning from Office Commercial District to General Commercial District be approved in conjunction with the Comprehensive Plan Amendment request.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation on a 9.8 acre parcel from Office Commercial to General Commercial. In addition, the applicant has submitted a Comprehensive Plan Amendment to change the future land use designation on the subject property from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development. (See companion item #04CA019.)

The subject property is a part of an 86 acre development known as "Tower Ridge". On June

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3, 2002, the City Council approved several Rezoning requests, Planned Development Designation requests and Comprehensive Plan Amendment requests for the 86 acre development. In particular, the subject property was rezoned from General Agriculture District to Office Commercial District with a Planned Development Designation.

The property is located at the southern terminus of Tablerock Road and is currently void of any structural development.

STAFF REVIEW:

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 extension of municipal services to the area and the completion of Catron Boulevard, a significant east-west arterial connection located approximately 1/4 mile south of the subject property, have changed conditions within the area to support the extension of commercial development. With the completion of Catron Boulevard, it is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future. In addition, the existing Planned Development Designation will serve as a tool to address the traffic concerns and drainage concerns specific to the subject property. The Planned Development Designation will also help mitigate any potential negative impacts the commercial use may have on the property located east of the subject property that is currently zoned Park Forest District. It is important to note that a large ravine exists between the subject property and the Park Forest District site creating a natural division between the land use(s).

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

According to the Zoning Ordinance, the General Commercial Zoning District is intended to provide for personal and business services and the general retail business of the City. The location of the property in close proximity to the intersection of two major arterial roadways make it a desirable location for general commercial activities serving the general retail business needs of the community. Further, U.S. Highway 16 is the major gateway between Rapid City and Mount Rushmore, making the area desirable for commercial activities to serve the traveling public.

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 done so 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. With the extension of City sewer and water to the area, the proposed rezoning request is consistent with commercial development within the area.

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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 primary reason for the previously approved Planned Development Designation was the potential access concerns and the location of the property at a major entrance into the community as well as the need to mitigate any potential negative impacts the proposed commercial use(s) may have on the adjacent future residential use(s). The Planned Development Designation officially identifies this property as a future Planned Commercial Development. The Future Land Use Committee has reviewed the Rezoning request and the associated Comprehensive Plan Amendment request and has indicated that they concur with the proposed requests contingent upon the previously approved Planned Development Designation remaining on the property. Any development of the site must comply with the above referenced adopted City plans. Care will need to be taken during the Planned Development review process to insure that adequate screening is provided and that noise issues are appropriately addressed. This will insure that the impact of the commercial uses on the adjacent residential land uses to the east is adequately mitigated.

As of this writing, the receipts from the certified mailing have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the May 27, 2004 Planning Commission meeting if these requirements have not been met. Staff has not received any calls or inquiries regarding this proposal.