

STAFF REPORT

September 21, 2000

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**RZN #00RZ036 - Rezoning from Flood Hazard District to  
Civic Center District**

**ITEM 28**

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GENERAL INFORMATION:

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|--------------------|---|
| PETITIONER         | City of Rapid City  |
| REQUEST            | <b>RZN #00RZ036 - Rezoning from Flood Hazard District to<br/>Civic Center District</b>  |
| LEGAL DESCRIPTION  | A portion of Tract 20 of the Rapid City Greenway Tracts more particularly described as beginning at the north east corner of Tract 20; thence N77°30'29"W, 460.00 feet to the true point of beginning; thence S12°29'31"W, 140.00 feet; thence N77°30'29"W, 300 feet; thence N12°29'31"E, 140.00 feet; thence S77°30'29"E, 300.00 feet to the true point of beginning; all located in the SW1/4 of Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE     | Approximately .96 Acres   |
| LOCATION           | Civic Center - Memorial Park  |
| EXISTING ZONING    | Flood Hazard District   |
| SURROUNDING ZONING |   |
| North:             | Civic Center District   |
| South:             | Flood Hazard District   |
| East:              | Flood Hazard District   |
| West:              | Flood Hazard District   |
| PUBLIC UTILITIES   | City Water and Sewer  |
| REPORT BY          | Blaise Emerson  |

RECOMMENDATION: Staff recommends that the Rezoning from Flood Hazard District to Civic Center District be approved contingent on the adoption of the revision to the Rapid Creek Flood Plain Development Policy.

GENERAL COMMENTS: On August 21, 2000, the Common Council authorized the Mayor and Finance Officer to submit a rezoning request to expand the Civic Center District. The proposed expansion of the Civic Center District is intended to facilitate the construction the of proposed multi-use facility. The proposed multi-use facility location would straddle the zoning boundary between the Civic Center District and the Flood Hazard District and would encompass a significant portion of the southeast parking lot.

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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 City property being considered for a multi-use facility has been utilized for off-street parking to support the Civic Center and hotel development. As noted, the proposed multi-use facility would be located across the zoning districts boundary. The area has been utilized as part of the Civic Center District complex since the Civic Center Zoning District was established in 1986. The multi-use facility will compliment the Civic Center District and would appear to be appropriate for this location.

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

The Civic Center District is intended to provide an area with a unified development plan which permits a compatible mix of land use designed to serve the promotional, cultural, recreational, educational, social, and civic needs of Rapid City, the region, and the nation. The proposed multi-use facility will include an indoor ice facility. Indoor ice facility has been identified a needed recreational activity for the Rapid City area. The expansion of the of the Civic Center District would be consistent with the intent and purpose of the Zoning Ordinance.

*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 is located in the Rapid Creek 100-year flood fringe. Development is permitted in the 100-year flood fringe under the requirements of Chapter 15.32 Flood Area Construction Regulations of the Rapid City Municipal Code. The development of this portion of the flood plain, if completed in accordance with the Flood Area Construction Regulations, should not adversely affect any other part of Rapid City.

The Civic Center District allows for the Common Council to set the minimum parking requirements for the District. As part of the 1996 Civic Center expansion, the Common Council established the current parking of 614 parking spaces as the requirement for the Civic Center. The proposed location multi-use facility would reduce the parking for the Civic Center as well as create a greater demand for parking. This issue will need to be addressed prior to issuance of a building permit for the new building.

*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.*

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The 1974 Rapid City 5th Year Update for the Comprehensive Plan identifies this area for Public Land Uses. The expansion of the Civic Center District is consistent with this Plan. On September 13, 2000, the Common Council's Legal and Finance Committee recommended that the Rapid Creek Flood Plain Development Policy be amended to treat public land the same as privately held property. The change states that all property located within the Rapid Creek 100-year floodway shall be zoned Flood Hazard District. Previously, the policy held publicly owned property to higher standard and required that all publicly owned property located with the Rapid Creek 100-year floodplain was to be zoned Flood Hazard District. Staff finds the proposed amendment consistent with all adopted Plans contingent on approval of the revised Rapid Creek Flood Plain Development Policy.