

STAFF REPORT

September 21, 2000

RZN #00RZ037 - Rezoning from Medium Density Residential District to Office Commercial District

ITEM 22

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	RZN #00RZ037 - Rezoning from Medium Density Residential District to Office Commercial District
LEGAL DESCRIPTION	Lots 12-18, Block 17, South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .56 Acres
LOCATION	At the intersection of Flormann Street and 7th Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Office Commercial District (PCD)
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Rezoning from Medium Density Residential District to Office Commercial District be approved in conjunction with the Planned Development Designation.

GENERAL COMMENTS: The applicant is seeking to rezone a .56 acre parcel from Medium Density Residential District to Office Commercial District. The applicant has also submitted an application requesting approval of a Planned Development Designation on the subject property. Currently, a single family residence and a garage are located in the northwest corner of the property. The applicant has indicated that the existing structures will be removed and a new commercial structure will be built to house the credit union currently located north of the property across Flormann Street.

In addition to the credit union, two office buildings, a savings and loan and a radio station are located on the property across Flormann Street. A portion of this property has recently been rezoned from Shopping Center 1 to Office Commercial with a Planned Commercial Development to allow for the construction of a medical facility along the eastern portion of the

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property. The properties to the south and east are currently zoned Medium Density Residential District with existing residential development. The property to the west, across 7th Street, is currently zoned General Commercial District and is the location of a motel.

On September 7, 2000 the Planning Commission recommended that a request to rezone the subject property from Medium Density Residential District to General Commercial District be denied without prejudice. The Planning Commission indicated that the types of uses permitted in the General Commercial Zoning District could generate noise, traffic and light pollution impacts; and that these impacts could negatively affect neighboring residential areas located adjacent to the subject property. The Planning Commission denied without prejudice the proposed rezoning request in order to allow the applicant to submit an alternative rezoning request less obtrusive to the neighboring residential areas. As such, the applicant has submitted a rezoning request from Medium Density Residential District to Office Commercial District with a Planned Development Designation.

STAFF REVIEW: Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of 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.***

Staff has noted that the land uses and zoning in this portion of the community has changed within the area. As previously indicated, in February of this year the property located north of the subject property was rezoned from Shopping Center 1 to Office Commercial District with a Planned Commercial Development to allow for the construction of a medical facility on the property. In 1998, the property located one block north of the subject property was also rezoned to Office Commercial District with a Planned Commercial Development to allow for a medical office building to be located on the property. The recent identification of Flormann Street as a potential collector road with signalized intersections at Mount Rushmore Road and 5th Street has changed conditions within the area to support the extension of the office commercial use(s) to the subject property. Office commercial activities fronting onto Flormann Street in lieu of residences may be more appropriate for the future function of Flormann Street. With the large amount of commercial activity located directly north and west of the subject property, the Office Commercial District may serve as a transitional area between the commercial activity and the residential development within the area. In addition, the Planned Development Designation will serve as a tool to address the access issues, traffic concerns, buffering and screening requirements and topographic and drainage concerns specific to the subject property. In particular, access along the alley to the subject property will not be allowed in order for the alley to serve as a buffer between the subject property and the surrounding residential development. In addition, substantial screening and landscaping will be required along the east and south lot lines to further create a buffer to the existing residential use(s) on the surrounding properties.

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

The purpose of the Office Commercial District as stated in the Zoning Ordinance is to provide a place for those types of institutional and commercial activities that require building(s) surrounded by landscaped yards and open area. Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods. The additional review provided by a Planned Commercial Development process will insure that the proposed office commercial development is compatible with adjoining land uses and will mitigate potential negative impacts.

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 adverse impacts provided the associated Planned Development Designation request is approved. With the recent rezoning of the surrounding properties to Office Commercial District and the future function of Flormann Street as a potential collector road, the proposed rezoning request is consistent with commercial development within the area.

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 Rapid City Comprehensive Long Range Plan identified this area as appropriate for development as residential land uses. The Office Commercial District allows all the uses of the Medium Density Residential District, including financial institutions. The surrounding property has been developing as a mixture of retail and office uses as well as residential uses. The associated Planned Commercial Development proposal, however, will help mitigate some of the negative impacts associated with increased commercial development in the area.

As of this writing, the receipts from the certified mailings have not been returned. The Rezoning sign has been posted on the property. Staff has received four calls regarding this proposal. A property owner, located one block south of the subject property, indicated that the office commercial use(s) on the subject property may interfere with his enjoyment of walking with his family along this portion of Flormann Street. The remaining three callers did not voice any opposition to the proposed rezoning. The callers did indicate, however, that they would be opposed to a casino ever being located within the area. (Please note that a casino is not a permitted use in the Office Commercial District.)