

STAFF REPORT

July 26, 2001

No. 01RZ041 - Rezoning from Medium Density Residential District to Office Commercial District **ITEM 33**

GENERAL INFORMATION:

PETITIONER	Renner & Sperlich Engineering for Gary Rasmusson
REQUEST	No. 01RZ041 - Rezoning from Medium Density Residential District to Office Commercial District
LEGAL DESCRIPTION	A portion of the S1/2 NW1/4 SE1/4, Section 13, T1N, R7E, B.H.M. Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southwest corner of Block 27 of Robbinsdale Addition No. 10, Thence, N89°42'39"E along the southerly boundary of said Block 27 of Robbinsdale Addition No. 10, a distance of 92.68 feet, to the Point of Beginning; Thence, first course: N89°42'39"E along the southerly boundary of said Block 27 of Robbinsdale Addition No. 10, a distance of 537.51 feet, to the westerly edge of the right-of-way of Fifth Street; Thence, second course: southeasterly, along the westerly edge of said Fifth Street right-of-way, curving to the right on a curve with a radius of 1345.32 feet, a delta angel of 02°36'31", a length of 61.25 feet, a chord bearing of S16°44'21"E, and a chord distance of 61.25 feet; Thence, third course: S89°41'26"W, a distance of 554.84 feet; Thence, fourth course: N00°18'34"W, a distance of 58.94 feet, to a point on the southerly boundary of said Block 27 of Robbinsdale Addition No. 10, and the Point of Beginning; Said Parcel contains 32,151 square feet or 0.738 acres more or less.
PARCEL ACREAGE	0.7 acres
LOCATION	West of Fifth street approximately 300 feet north of the intersection of Fifth Street and Minnesota Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Office Commercial District
South:	Office Commercial District
East:	Office Commercial District
West:	Medium Density Residential
PUBLIC UTILITIES	City Water and Sewer

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REPORT BY Blaise Emerson

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

GENERAL COMMENTS: The applicant is proposing to rezone a 0.7 acre parcel of land from Medium Density Residential to Office Commercial. The subject property is located northeast of corner of the intersection of Fifth Street with Minnesota Street, and south of Black Hills Surgery Center and Westhills Assisted Living Center. The subject property is an approximately 60 foot by 537 foot parcel of land that is located between two parcels that are currently zoned Office Commercial. The applicant is requesting to rezone this parcel to Office Commercial with a Planned Development Designation. The Fifth Street corridor from Fairmont Boulevard south is largely occupied by office commercial medical facilities related to the hospital. The rezoning request is in compliance with the land uses specified in the South Robbinsdale Future Land Use Plan.

STAFF REVIEW: Staff evaluated the proposed rezoning as it relates to the four criteria for 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 districts affected, or the City in general.*

Conditions in this area have been substantially changed due to the development of medical facilities along Fifth Street, south of Fairmont Boulevard. A number of medical facilities have chosen to locate there because of the proximity to the Rapid City Regional Hospital. Two Office Commercial developments with Planned Commercial Development overlays have been approved in this area. The subject property is located at the intersection of Fifth Street, a four lane arterial, and Minnesota Street, an arterial street. The Office Commercial Zoning District will provide an appropriate buffer to the future Low Density Residential development in the adjacent areas.

2. *The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

The description of the Office Commercial Zoning District states that it is intended to provide areas for institutional and office uses that are surrounded by landscaped yards and open spaces. The land, space and aesthetic requirements of office commercial uses make them desirable in either a central location or a suburban location close to residential neighborhoods. The subject property has a central location and is near residential neighborhoods. There is other property nearby zoned Office Commercial. Staff believes that rezoning this property is consistent with the intent and purposes of the 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 amendment.*

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Staff does not believe that rezoning the subject property will result in any adverse affects. Office Commercial zoning at this location will provide a buffer for the residentially zoned property to the west from the traffic on Fifth Street. However, Staff is concerned with access issues due to the location of the property at the corner of an arterial and an arterial street. Access concerns can be addressed through the associated Planned Development Designation request at the time of Initial Development Plan.

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 South Robbinsdale Future Land Use Plan identifies this property as appropriate for development as Office Commercial land uses with a Planned Commercial Development overlay. The petitioner has submitted a Planned Development Designation in conjunction with this request. The Major Street Plan identifies both Fifth Street and Minnesota Street as an arterial street. The proposed office commercial use is appropriate at the intersection of two arterial streets. The Planned Development Designation will allow the access concerns at this corner to be addressed, so traffic carrying capacity at this intersection is not impeded. Staff believes this rezoning is consistent with the adopted development plans for Rapid City.

The receipts from the certified mailing have been completed and the rezoning sign has been posted on the property. Staff has not received any objections or inquires regarding this rezoning request.

Staff has reviewed this request with respect to the criteria established for Zoning Map Amendments and recommends approval.