

STAFF REPORT

August 23, 2001

No. 01RZ047 - Rezoning from Medium Density Residential District to Office Commercial District **ITEM**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 01RZ047 - Rezoning from Medium Density Residential District to Office Commercial District
LEGAL DESCRIPTION	A tract of land located in the W1/2 of the SE1/4 Section 18, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota consisting of a portion of Tract B of the Meadows Subdivision as recorded in Plat Book 28 Page 173. More particularly described as follows: Beginning at the Northeast corner of said Tract B of the Meadows Subdivision a found rebar and cap stamped LS 4225, this being the true point of beginning. Thence S00°00'41"E 140.21 feet along the east boundary of said Tract B, Thence S89°50'18"W 189.16 feet to a point on the easterly right of way of Derby Lane, Thence N39°48'27"W 8.42 feet along said right of way of Derby Lane to a point of curve with a radius of 149.00 feet, Thence along said right of way of Derby Lane on said curve to the right an arc length of 103.44 feet to the point of tangency, Thence N00°12'34"W 39.02 feet along said Derby Lane right of way, Thence S89°59'52"E 229.04 feet along the westerly line of said Tract B to the point of beginning, said tract containing .71 acres more or less.
PARCEL ACREAGE	Approximately .71 acres
LOCATION	At the intersection of Derby Lane and Minnesota Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Office Commercial District w/PCD
East:	Low Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Water and Sewer
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Rezoning from Medium Density Residential District to Office Commercial District be approved contingent on the associated

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Comprehensive Plan Amendment and Major Amendment to the Planned Commercial Development being approved.

GENERAL COMMENTS: This rezoning request is for an expansion to the Rooks and Kirk funeral home located at the intersection of Minnesota Street and Derby Lane. The site plan identifies that a new parking area will be constructed on the south side of the funeral home with a second access onto Derby Lane. The applicant has submitted an associated Preliminary and Final Plat and Major Amendment to the Planned Commercial Development request for the subject property.

STAFF REVIEW: City 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.*

The southwest corner of the intersection of Minnesota Street and Cambell Street is zoned General Commercial. The northwest corner is zoned Light Industrial; however, the land use designation has recently been changed to a combination of the General Commercial and Office Commercial land uses. The property is approximately 1/4 mile west of the General Commercial property along Cambell Street. Area residents have expressed concerns with the additional development of apartments in this area. This proposal would allow the owner of the property an alternative use to apartments for the property.

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

The Office Commercial District regulations allow any use permitted in a Medium Density Residential District in addition to office uses. The description of the Office Commercial District states that it is intended to provide areas for institutional and office uses that are surrounded by landscaped yards and open spaces. The majority of the surrounding land uses is residential. The Zoning Ordinance also allows Planned Commercial Development which is intended to make commercial development more compatible with adjoining land use and 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.*

The potential impacts of the proposed rezoning on the surrounding residential property include the following: increased traffic through the area and extended duration due to hours of operation, and increased noise and light into the residential properties. These impacts can be addressed through the Major Amendment to the Planned Commercial Development overlay.

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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 applicant has submitted an associated Comprehensive Plan Amendment to the South Robbinsdale Neighborhood Land Use Plan to reclassify the subject property from Medium Density Residential to Office Commercial with a Planned Commercial Development land uses (01CA028). Minnesota Street is classified as an arterial on the Major Street Plan. The associated Major Amendment to the Planned Commercial Development proposal will help diminish some of the negative impacts associated with increased commercial development in this area. With the associated Comprehensive Plan Amendment, Staff recommends approval of the rezoning request.