

STAFF REPORT  
May 4, 2006

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**No. 06RZ009 - Rezoning from Medium Density Residential to General Commercial**      **ITEM 38**

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GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for Black Hills Health and Wellness Center
REQUEST	<b>No. 06RZ009 - Rezoning from Medium Density Residential to General Commercial</b>
EXISTING LEGAL DESCRIPTION	Lots 21 thru 22 of Block 9, Flormann Addition, located in the NW1/4 SE1/4, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.161 acres
LOCATION	716 Fairview Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/7/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential District to Medium Density Residential District be denied.

GENERAL COMMENTS: The subject property is located north of Fairview Street and east of Mount Rushmore Road. It is currently zoned Medium Density Residential. This Medium Density Residential property is surrounded by Medium Density Residential Zoning Districts located on the north, south and east. The property located to the west is zoned General Commercial Zoning District. The applicant is requesting that the subject property be rezoned from Medium Density Residential to General Commercial to allow the construction of a commercial parking lot.

The Comprehensive Plan identifies this property as appropriate for a Residential Zoning District.

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STAFF REVIEW: Staff has reviewed this proposed rezoning 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 subject property was zoned Medium Density Residential in 1968. A single-family residence is currently located on the subject property. The property is located in a stable developed residential neighborhood. Staff is unaware of any changing conditions in this area that would justify the rezoning of this property.

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

The properties located to the north, south and east of the subject property are zoned Medium Density Residential. The property located to the west is zoned General Commercial. The Comprehensive Plan identifies the subject property as appropriate for a Residential Zoning District. Medium Density Residential Zoning Districts are established to provide areas in which the principal uses of land are devoted to single-family to multi-family apartment uses.

General Commercial Zoning Districts are intended to provide for personnel and business services and the general retail of the city. The principal uses of land in a General Commercial District do not appear to be appropriate for this site due to the additional encroachment into a residential neighborhood.

*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 subject property is located adjacent to Medium Density Residential Zoning Districts on the north, south, and east. Staff feels the rezoning would have a negative affect on the surrounding land uses with additional commercial development in a residential neighborhood.

*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.*

The Comprehensive Plan identifies the subject property as appropriate for a Residential Zoning District. Due to the residential land uses surrounding the property, staff feels that the long range plan for this area would not support a General Commercial land use and would not be consistent with the Comprehensive Plan.

Staff recommends that the Rezoning from Medium Density Residential District to General Commercial District be denied.