

STAFF REPORT
December 7, 2006

No. 06RZ067 - Rezoning from High Density Residential District to Office Commercial District **ITEM 43**

GENERAL INFORMATION:

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| PETITIONER | Paula Anderson |
| REQUEST | No. 06RZ067 - Rezoning from High Density Residential District to Office Commercial District |
| EXISTING LEGAL DESCRIPTION | Lots 7 and 8 in Block 3 of Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately .15 acres |
| LOCATION | 615 West Boulevard |
| EXISTING ZONING | High Density Residential District |
| SURROUNDING ZONING | |
| North: | Office Commercial District |
| South: | Medium Density Residential District |
| East: | Central Business District |
| West: | Medium Density Residential District |
| PUBLIC UTILITIES | Rapid City |
| DATE OF APPLICATION | 11/9/2006 |
| REVIEWED BY | Rodney Proffitt / Todd Peckosh |

RECOMMENDATION:

Staff recommends that the Rezoning from High Density Residential District to Office Commercial District be denied.

GENERAL COMMENTS:

The subject property is presently zoned High Density Residential District. The request is to change the present zoning to Office Commercial District. The property located just north of this property is zoned Office Commercial District, while the property located across West Boulevard to the east is zoned Central Business District. Property located to the south and north is zoned Medium Density Residential. The subject property is within the West Boulevard Historic District. A request to amend the City's Comprehensive Plan by changing the Future Land Use Plan from Residential to Office Commercial accompanies this application (06CA049).

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STAFF REVIEW:

Staff has reviewed this proposed rezoning request for conformance with the four (4) criteria for review of zoning map amendments established in Section 17.54.040(D)(1) of the City's Zoning Ordinance. A summary of Staff findings follows:

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 property in question was originally constructed as single-family residential structures. Some of the properties recently reviewed for zoning and land use changes (06CA031 and 06RZ034) have been converted to multi-family residences given their proximity to heavily traveled arterial streets (Main Street and St. Joseph Street), but such is not the case deeper within the existing neighborhood. The properties in close proximity to the property in question appear to be stable and maintaining their historic character as single-family residences. Staff has not identified any substantial changed or changing conditions necessitating a need for rezoning.

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

The proposed Office Commercial Zoning District designation is intended to allow a mixture of residential and professional office uses. The district is often used as a buffer between more intense uses and residential areas. In this case, the proposed Office Commercial Zoning will unduly extend an existing buffer, while encroaching on a historic, stable, residential neighborhood.

3. *The proposed zoning will not adversely affect any other part of the City, nor shall any direct or indirect adverse effects result from such an amendment.*

The existing buffer that protects the West Boulevard Historic District extends to an existing alley. The alley serves as a logical boundary between land uses. Extension of the Office Commercial Zoning District would unduly encroach on the neighborhood. The proposed rezoning would appear to have significant adverse affects on the existing 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 Land Use Plan identifies this area as appropriate for High Density Residential uses. An application for a Comprehensive Plan Amendment to change the appropriate land use of the subject property from High Density Residential to Office Commercial is pending in conjunction with this request (06CA049). If the Comprehensive Plan Amendment is approved, the proposed rezoning requested will be consistent with the adopted Comprehensive Plan.

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The required rezoning sign has been posted, but the receipts from the certified mailing have not been returned as of this writing. Staff will notify the Planning Commission if these requirements have not been met. Staff has not received any inquiries or comments to this application as of this writing.