

STAFF REPORT
September 6, 2007

No. 07RZ063 - Rezoning from Medium Density Residential District to Office Commercial District ITEM 26

GENERAL INFORMATION:

APPLICANT	Williams & Associates Architecture, Inc.
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Black Hills Surgery Center, LLP
REQUEST	No. 07RZ063 - Rezoning from Medium Density Residential District to Office Commercial District
EXISTING LEGAL DESCRIPTION	Lot 33R of Block 18 of Robbinsdale Subdivision No. 10, located in the SE1/4 NW1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.144 acres
LOCATION	At the northwest corner of the intersection of Anamaria Drive and Fifth Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/10/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning request from Medium Density Residential District to Office Commercial District be continued to the September 20, 2007 Planning Commission meeting to be heard in conjunction with the Comprehensive Plan and the Planned Commercial Development - Initial Development Plan.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning of the above legally described property from Medium Density Residential District to Office Commercial. In addition, the applicant has submitted a Comprehensive Plan Amendment to the South Robbinsdale Neighborhood Future Land Use Plan to change the land use designation from

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Medium Density Residential District to Office Commercial District with a Planned Commercial Development. (See companion item #07CA040.)

The Black Hills Surgery Center is located on the property directly west of the subject property. The applicant has submitted a Planned Commercial Development - Initial Development Plan to allow an addition and expand the parking lot on the property. (See companion item #07PD068.)

STAFF REVIEW:

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

Conditions in this area have been changing substantially in recent years due to the development of medical facilities along 5th Street, south of Fairmount Boulevard. A number of medical facilities have located in this area because of the close proximity to the Rapid City Regional Hospital. The property to the south is zoned Office Commercial with a Planned Commercial Development and is the current location of the Black Hills Imaging Center. The associated Planned Commercial Development - Initial Development Plan will incorporate the subject property into the development in order to expand the building and parking lot. The Planned Commercial Development will serve as a tool to address the issues, traffic concerns and topographic and drainage concerns specific to the subject property.

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 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. Staff believes that rezoning the property is consistent with the intent and purposes of the ordinance. The additional review provided by a Planned Commercial Development will insure that landscaped yards and open spaces are being maintained on the property.

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 in conjunction with the associated Major Amendment to the Planned Commercial Development. The additional review provided by the Planned Commercial Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site.

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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 South Robbinsdale Future Land Use Plan identifies this property as appropriate for medium density residential use(s). However, as previously indicated, the applicant has submitted a Comprehensive Plan Amendment to the South Robbinsdale Future Land Use Plan to change the land use designation from Medium Density Residential to Office Commercial. The proposed rezoning request will be consistent with the Future Land Use Plan upon approval of the associated Comprehensive Plan Amendment. In addition, the Planned Commercial Development - Initial Development Plan must be approved prior to issuance of a building permit.

As of this writing the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the September 6, 2007 Planning Commission meeting if the notification requirements have not been met.