

STAFF REPORT
February 4, 2010

No. 09RZ057 - Rezoning from General Commercial District to Medium Density Residential District **ITEM 9**

GENERAL INFORMATION:

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| APPLICANT/AGENT | Marcy Morkert |
| PROPERTY OWNER | Marcy Morkert |
| REQUEST | No. 09RZ057 - Rezoning from General Commercial District to Medium Density Residential District |
| EXISTING LEGAL DESCRIPTION | The east 35 feet of the west 71 feet of Lot 21 of Block 38 of West Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 0.03 acres |
| LOCATION | 814 Saint James Street |
| EXISTING ZONING | General Commercial District |
| SURROUNDING ZONING | |
| North: | General Commercial District |
| South: | General Commercial District |
| East: | General Commercial District |
| West: | General Commercial District |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 12/14/2009 |
| REVIEWED BY | Jim Flaaen / Ted Johnson |

RECOMMENDATION:

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

GENERAL COMMENTS: **(Updated January 25, 2010. All revised and/or added text is shown in bold print.) This item was continued at the January 21, 2010 Planning Commission meeting to allow the applicant to satisfy the required notification requirement for zoning map amendments. The applicant has since met this requirement.**

The applicant originally proposed to rezone the property from General Commercial District to Low Density Residential District. Upon staff review, it was determined that rezoning the property from General Commercial District to Medium Density Residential District would be more consistent with the surrounding neighborhood zoning. The applicant subsequently

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amended the application to request rezoning the property from General Commercial District to Medium Density Residential District on January 12, 2010.

Adjacent properties to the north, south, east and west are zoned General Commercial District. Properties beginning one lot to the west are zoned Medium Density Residential District. The Long Range Comprehensive Plan indicates that this property is suitable for residential land uses.

The property is located east of Mount Rushmore Road on the north side of Saint James Street. A single family residence is currently located on the property.

STAFF REVIEW: (Updated January 25, 2010.) 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 district affected, or the City in general.***

The property is currently zoned General Commercial District. A General Commercial corridor exists along Mount Rushmore Road. The area between Mount Rushmore Road and 9th Street is a mixture of General Commercial District and Medium Density Residential District. The residential structure on the property was constructed in 1928. The property was zoned General Commercial Zoning District in 1977. However, the adopted Future Land Use Plan identified the property as appropriate for residential land uses. Staff has not identified a substantially changed or changing condition in the area. However, it should be noted that recent changes in mortgage lending practices have resulted in homeowners being unable to obtain financing for single family residences located in General Commercial Zoning Districts.

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

The Medium Density Residential Zoning District is to provide for medium to high population density. Land uses in this district may range from single family residences to multi-family apartments. A single family residence is currently located on the lot. The existing structure and its use are consistent with the intent of the Medium Density Residential District. Medium Density Residential District land uses exist beginning one lot to the west of the property. Rezoning the property would bring the zoning of the property in concert with the use of the property and the adopted Comprehensive Plan. Staff noted that the proposed zoning is consistent with the intent and purposes of this 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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Water and sewer are available on the property. The property is accessed from Saint James Street, a local street, and Mount Rushmore Road, a principal arterial street. The uses allowed in the Medium Density Residential District generate less traffic than the uses allowed in the General Commercial District. Properties beginning one lot to the west are zoned Medium Density Residential District. Currently a single family residential structure is located on the lot. Staff has not identified any significant adverse impacts that would result from the requested rezoning.

4. The proposed amendment 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 adopted Comprehensive Plan identifies the use of the property as appropriate for residential land uses. The rezoning of the property from General Commercial to Medium Density Residential is consistent with the adopted Comprehensive Plan.

Notification Requirement: The required sign has been posted on the property and the receipts from the certified mailings have been returned. Staff has not received any calls of inquiry regarding this item.

Staff recommends that the rezoning from General Commercial District to Medium Density Residential District be **approved**.