

STAFF REPORT
January 26, 2012

No. 11RZ029 - Rezoning from General Commercial District to High Density Residential District **ITEM 5**

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	Multiple Property Owners
REQUEST	No. 11RZ029 - Rezoning from General Commercial District to High Density Residential District
EXISTING LEGAL DESCRIPTION	Lots 1 through 16 of Block 3 of Denman's Subdivision all located in SW1/4 of the NW1/4 of Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.28 acres
LOCATION	South of East Saint Joseph Street between Elm Avenue and Birch Avenue
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	High Density Residential District
East:	Park Forest District
West:	General Commercial District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	1/3/2012
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Rezoning from General Commercial District to High Density Residential District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the above properties from General Commercial District to High Density Residential District.

The properties were platted in 1883 and annexed into Rapid City in 1888. In 1964 the properties were zoned Highway Service District. In 1977 the properties were zoned General Commercial District.

On January 13, 2012, the applicant also submitted an application for an Initial Residential

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Development Plan which included a request to reduce the area regulations and to allow retail businesses in addition to the apartment buildings.

The properties are located south of East Saint Joseph Street between Elm Avenue and Birch Avenue just west of the South Dakota School of Mines and Technology. Currently, the properties are a mix of one and two story residential and commercial buildings.

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.*

There does not appear to be substantially changed or changing conditions within this area. As noted above, the property is currently zoned General Commercial District. The applicant has also submitted an Amendment to the adopted Comprehensive Plan to change the future land use designation from Commercial to Residential. The Future Land Use Committee reviewed the Amendment to the Comprehensive Plan request and has recommended approval. In addition, the applicant has submitted an Initial Residential Development Plan.

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

The purpose of the High Density Residential District as stated in the Zoning Ordinance is to promote and encourage the establishment and maintenance of a suitable environment for urban residence in areas appropriate by location and character for occupancy by high-density, multiple-family dwellings. One of the important purposes of this district is to create adequate standards of residential development in order to prevent overcrowded and unhealthy housing conditions. The intensity of land use should not be so great as to cause congestion of building or traffic or to preclude the amenities of good housing. The applicant has also submitted an Amendment to the adopted Comprehensive Plan to change the future land use designation from Commercial to Residential. Land located north and west of the property is zoned General Commercial District. Land located south of the property is zoned High Density Residential District. Land located to the east of the property is zoned Park Forest District. The rezoning of this property appears to be appropriate and 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 an amendment.*

The applicant has met with staff and discussed the proposed development of these properties into apartment buildings. Staff identified issues that must be addressed prior to the development of the property. A drainage plan and report will be required to address the anticipated stormwater flows. An estimate of water demands will be required for the proposed development to confirm adequate fire flows. The applicant must confirm that adequate sewer capacity exists or provide additional capacity. The Planned Development

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process is the tool that will be used to address these issues. On January 13, 2012, the applicant also submitted an application for an Initial Residential Development Plan which included a request to reduce the area regulations and to allow retail businesses in addition to the apartment buildings.

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 applicant has also submitted an Amendment to the adopted Comprehensive Plan to change the future land use designation from Commercial to Residential. The Future Land Use Committee has recommended approval of the Amendment to the adopted Comprehensive Plan. Staff has identified issues regarding area regulations, sewer capacity, fire flows, storm water detention and intensity of use that must be addressed prior to development. The applicant has also submitted an Initial Residential Development Plan. The Planned Residential Development is the tool that will address the issues that staff identified.

Notification Requirement: As of this writing, the white slips and green cards have not been returned. The required sign has not been posted on the property. Staff will notify the Planning Commission at the January 26, 2012 Planning Commission meeting if these requirements have not been met.