

STAFF REPORT

June 7, 2001

No. 01RZ023 - Rezoning from Low Density Residential District to Office Commercial District

ITEM 32

GENERAL INFORMATION:

PETITIONER	Doug Sperlich for Pat Tlustos
REQUEST	No. 01RZ023 - Rezoning from Low Density Residential District to Office Commercial District
LEGAL DESCRIPTION	A portion of Tract C of Robbinsdale Addition No. 10 located in the NE1/4 of NE1/4 of SW1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the corner of Lot 2 of Block 28 of Robbinsdale Addition No. 10, common with the northeasterly corner of Lot 3 of Block 28 of Robbinsdale No. 10, said point being an angle point of said Tract C of Robbinsdale Addition No. 10, and the Point of Beginning; Thence, first course: N73°18'00"E, along the boundary common to said Tract C, and said Lot 2 of Block 28, a distance of 125.00 feet; Thence, second course: N03°34'00"E, along the boundary common to said Tract C, and said Lot 2 of Block 28, a distance of 66.68 feet, to the corner common to said Lot 2 of Block 28, said Tract C, and Lot 2R of Block 17 of Robbinsdale Addition No. 10; Thence, third course: N44°15'12"E, along the boundary common to said Lot 2R of Block 17, and said Tract C, a distance of 136.45 feet, to the corner common to said Lot 2R of Block 17, Lot 1R of Block 17, and said Tract C; Thence, fourth course: S36°32'40"E, along the boundary common to said Tract C, and said Lot 1R of Block 17, a distance of 75.98 feet; Thence, fifth course: S44°15'12"W, a distance of 200.49 feet; Thence, sixth course: S73°18'00"W, a distance of 149.57 feet to a point on the boundary common to said Lot 3 of Block 28, and said Tract C; Thence, seventh course: N21°40'00"E, along the boundary common to said Lot 3 of Block 28, and said Tract C, a distance of 51.02 feet to the corner common to said Lot 3 of Block 28, and said Lot 2 of Block 28, and the Point of Beginning; Said Parcel contains 18,367 square feet or 0.422 acres more or less
PARCEL ACREAGE	Approximately .422 Acres
LOCATION	At the western end of Anamaria Drive
EXISTING ZONING	Low Density Residential District

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SURROUNDING ZONING

North: Office Commercial Zoning District (PCD)
South: Low Density Residential District
East: Low Density Residential District
West: Office Commercial Zoning District (PCD)

PUBLIC UTILITIES City sewer and water

REPORT BY Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Rezoning from Low Density Residential District to Office Commercial District be approved in conjunction with the Major Amendment to the Planned Commercial Development and contingent upon a Comprehensive Plan Amendment to the South Robbinsdale Neighborhood Area Future Land Use Plan being approved prior to approval of the second reading of the rezoning request by the City Council.

GENERAL COMMENTS: The applicant has submitted a rezoning request to change the zoning of the above legally described property from Low Density Residential District to Office Commercial District. The applicant has also submitted an application to amend the Planned Commercial Development for the Black Hills Imaging Center to expand the boundaries to include the subject property. In addition, the applicant has submitted a Preliminary and Final Plat to combine two existing lots and to incorporate the subject property into one lot. (See companion items 01PD023 & 01PD045.)

The property is located southwest of the intersection of Fifth Street and Annamaria Drive. Currently, the Black Hills Imaging Center is located on the property. The applicant has indicated that the property is being replatted and subsequently rezoned as identified in order to provide additional parking for the Black Hills Imaging Center and for the Black Hills Surgery Center located across the street.

STAFF REVIEW: Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of 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 due to the development and expansion of medical facilities along Fifth Street, south of Fairmont Boulevard. As previously indicated, the subject property is being platted into the Black Hills Imaging Center property in order to increase the size of the parking lot. In 2000, the Black Hills Imaging Center property, as well as the Black Hills Surgery Center property, were rezoned from Low Density Residential and Medium Residential District, respectively, to Office Commercial District with a Planned Commercial Development. As evidenced by existing development within the

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area, a number of medical facilities have chosen to locate along this portion of Fifth Street due to the close proximity of the Rapid City Regional Hospital. The proposed rezoning request is reflective of the changing conditions within this area.

2. *The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

The description of the Office Commercial Zoning District states that it is intended 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 is located near a major north-south arterial and near residential neighborhoods. Staff believes that rezoning this property is consistent with the intent and purposes of the 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.*

Staff does not believe that rezoning the subject property will result in any significant adverse affects. Office Commercial zoning at this location will provide a buffer for the residentially zoned property to the west from the traffic on Fifth Street. The Office Commercial development will be located at an elevation significantly lower than the residential development to the west and the terrain should provide a significant buffer between the land uses. In addition, the Major Amendment to the Planned Commercial Development will serve to insure that any possible impacts are adequately mitigated as a part of the development of the site.

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 Low Density Residential land uses. A Comprehensive Plan Amendment to the South Robbinsdale Future Land Use Plan must be submitted prior to approval of the second reading of the rezoning request by the City Council to insure consistency between the proposed rezoning and the adopted comprehensive plan.

As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the June 7, 2001 Planning Commission meeting if these requirements have not been met. Staff has not received any calls or inquiries regarding this proposal.

Staff has reviewed this request with respect to the criteria established for Zoning Map Amendments and recommends approval.