

STAFF REPORT

July 5, 2001

**#01RZ035 - Rezoning from Medium Density Residential
District to Office Commercial District**

ITEM 30

GENERAL INFORMATION:

PETITIONER	Centerline for CSU Properties, Inc.
REQUEST	#01RZ035 - Rezoning from Medium Density Residential District to Office Commercial District
LEGAL DESCRIPTION	Lots 1, 2, 3, and 4 in Block 6 and Lot RU-9A, North Half of Adjacent Vacated Alley and all of Adjacent Vacated 4th Street R.O.W. in the Original Townsite of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.019 acres more or less
LOCATION	At the southeast corner of the intersection of Fifth Street and North Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Public District
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Rezoning from Medium Density Residential District to Office Commercial District be approved in conjunction with the Planned Development Designation and contingent upon a Comprehensive Plan Amendment to the North Rapid Neighborhood Area Future Land Use Plan being approved.

GENERAL COMMENTS: The applicant has submitted a rezoning request to change the zoning on the above legally described property from Medium Density Residential District to Office Commercial District. The applicant has also submitted an application requesting approval of a Planned Development Designation on the subject property. In addition, the applicant has submitted a Comprehensive Plan Amendment to change the future land use designation from Medium Density Residential to Office Commercial with a Planned Commercial Development. (See companion items #01PD033 and 01CA016.)

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On June 4, 2001, the City Council approved Layout Plat #01PL035 on the subject property to create an approximate .84 acre lot. The property is located southeast of the intersection of Fifth Street and North Street and is currently void of any structural development. The applicant is proposing to eventually construct a 10,800 square foot office building and a parking lot on the property.

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.*

The Rushmore Plaza Civic Center and Holiday Inn are located west of the subject property. Over the years, both indoor and outdoor activities at the Civic Center have expanded. The office commercial development will serve as a transitional area between the activities generated by the Civic Center and the residential neighborhood. The proposed rezoning request is reflective of changing conditions within the 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 adjacent to a principal arterial road 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. The Planned Development Designation 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 North Rapid Neighborhood Area Future Land Use Plan identifies this property as appropriate for Medium Density Residential land uses. A Comprehensive Plan Amendment to

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the North Rapid Neighborhood Area Future Land Use Plan must be approved 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 July 5, 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.