

STAFF REPORT

November 8, 2001

No. 01RZ061 - Rezoning from Office Commercial District to Low Density Residential II District **ITEM 22**

GENERAL INFORMATION:

PETITIONER 3 T's Land Development

REQUEST **No. 01RZ061 - Rezoning from Office Commercial District to Low Density Residential II District**

LEGAL DESCRIPTION A portion of Tract B of Minnesota Ridge Subdivision located in the NE1/4 of SW1/4, Section 13, T1N, R7E, B.H.M., Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the corner of Lot 2R of Block 28 of Robbinsdale Addition No. 10, common with the northeasterly corner of Lot 3 of Block 28 of Robbinsdale Addition No. 10, said point being an angle point along the northerly boundary of said Tract B of Minnesota Ridge Subdivision, and the Point of Beginning; Thence, first course: N73°18'54"E, along the boundary common to said Tract B of Minnesota Ridge Subdivision, and said Lot 2R of Block 28, a distance of 124.95 feet; Thence, second course: S45°40'57"E along the southerly boundary of said Lot 2R of Block 28, common with the northerly boundary of said Tract B of Minnesota Ridge Subdivision, a distance of 20.56 feet; Thence, third course: N44°19'03"E, along the southerly boundary common to said Lot 2R of Block 28, and the northerly boundary of said Tract B of Minnesota Ridge Subdivision, a distance of 176.61 feet, to a point on the westerly boundary of Lot 1R of Block 17, Robbinsdale Addition No.10. Said point is a corner common to said Lot 2R of Block 28, and said Tract B of Minnesota Ridge Subdivision; Thence, fourth course: S36°33'28"E, along the boundary common to said Tract B of Minnesota Ridge Subdivision, and said Lot 1R of Block 17, a distance of 10.96 feet; Thence, fifth course: S44°19'03"W, a distance of 200.76 feet; Thence, sixth course: S73°18'54"W, a distance of 149.18 feet to a point on the boundary common to said Lot 3 of Block 28, and said Tract B of Minnesota Ridge Subdivision; Thence, seventh course: N21°40'47"E, along the boundary common to said Lot 3 of Block 28, and said Tract B of Minnesota Ridge Subdivision, a distance of 51.02 feet to the corner common to said Lot 3 of Block 28, and said Lot 2R of Block 28, and said Tract B of Minnesota Ridge Subdivision and the Point of Beginning. Said Parcel contains 7,790 square feet or 0.179 acres

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more or less

PARCEL ACREAGE Approximately 0.179 acre

LOCATION West of 5th Street north of Minnesota Street

EXISTING ZONING Office Commercial District

SURROUNDING ZONING

 North: Office Commercial District (PCD)

 South: Low Density Residential District

 East: Low Density Residential District

 West: Low Density Residential District

PUBLIC UTILITIES City water and sewer

REPORT BY Lisa Seaman

RECOMMENDATION:

Staff recommends that the Rezoning from Office Commercial District to Low Density Residential II District be approved.

GENERAL COMMENTS:

In September, 2001 the applicant submitted a request to rezone Tract B of Minnesota Ridge Subdivision from Low Density Residential Zoning District to Low Density Residential II Zoning District. Staff review of the rezoning request of Tract B of Minnesota Ridge Subdivision determined that a portion of Tract B of Minnesota Ridge Subdivision was zoned Low Density Residential Zoning District and a portion was zoned Office Commercial Zoning District.

On October 25, 2001 the Planning Commission approved the request to rezone the portion of Tract B that was zoned Low Density Residential Zoning District to Low Density Residential II Zoning District. This rezoning request has been submitted to rezone the approximately 0.179 acre area that was zoned Office Commercial Zoning District to Low Density Residential II Zoning District.

STAFF REVIEW:

Staff has reviewed this request for conformance with the four criteria for review of zoning map amendments established in Section 17.54.040(D)(1). A summary of the 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.*

Conditions in this area have been changing due to the development and expansion of medical facilities along Fifth Street, south of Fairmont Boulevard. The subject property abuts Office Commercial property on the north and Low Density Residential property on the

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south, east and west. Staff finds that the Low Density Residential II District zoning at this location will provide a buffer between the Office Commercial uses north of the subject property and the residential uses on the south, east and west of the subject property.

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

The purpose of the Low Density Residential District 2 Zoning District is "... to provide for a slightly higher population density, but with basic restrictions similar to Low Density Residential District 1. The principal use of land is for single-family and two-family dwellings and related recreational, religious and educational facilities normally required to provide a balanced and attractive residential area". The applicant has indicated that townhomes will be constructed on the subject property. The location of the property between medical offices and a residential development lends itself to providing a buffer between the commercial properties and the residential properties. Staff believes that the proposed rezoning of this property is consistent with the intent and purpose of the Zoning 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.

Staff is not aware of any significant adverse affects that will result from the proposed rezoning. Low Density Residential II zoning at this location will provide a buffer for the residentially zoned properties to the south, east and west from the office commercial properties to the north. In addition, the Low Density Residential II Zoning District permits single family dwellings and two-family dwellings, a minimal increase in density from what is allowed for the surrounding residential properties. Staff does not believe there will be any significant adverse impacts upon the neighborhood or City in general as a result of this Zoning.

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 proposed amendment is in compliance with all adopted development plans. The South Robbinsdale Neighborhood Area Future Land Use Plan designates this area as appropriate for Low Density Residential land uses. The Low Density Residential II Zoning District is consistent with the Future Land Use Plan designation.

The required rezoning sign has been posted on the property and the receipts from the certified mailing have been returned.