

STAFF REPORT

April 24, 2003

No. 03RZ014 - Rezoning from Medium Density Residential District to Office Commercial District **ITEM 36**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc. for Delores Catron
REQUEST	No. 03RZ014 - Rezoning from Medium Density Residential District to Office Commercial District
EXISTING LEGAL DESCRIPTION	Parcel A, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.44 acres
LOCATION	2700 Jackson Boulevard
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Low Density Residential District
East:	Office Commercial District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	03/14/2003
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the rezoning from Medium Density Residential Zoning District to Office Commercial Zoning District be **approved in conjunction with the corresponding Planned Development Designation and Comprehensive Plan Amendment.**

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This request was continued from the April 10, 2003 Planning Commission meeting. There was an error in the advertising requirement for the corresponding Comprehensive Plan Amendment. This request was continued to be heard in conjunction with the corresponding Comprehensive Plan Amendment. The applicant is proposing to change the zoning designation on an existing funeral home located at 2700 Jackson Boulevard. The applicant is proposing to change the Zoning District Classification from Medium Density Residential to Office Commercial with a Planned Development Designation (03PD012). In addition, the applicant is proposing to change the future land use designation from Residential to Office Commercial (03CA006).

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The proposed rezoning is on a 1.44 acre parcel of land. There is an existing funeral home located at the site. A building permit was issued for the funeral home in 1967. At that time, the property was zoned Class "B", which was a multi-family zoning district. Medical facilities were a permitted use in the Class "B" zoning district. In 1968, this zoning district was renamed to Medium Density Residential. The Funeral Home has approximately 70 parking spaces. Funeral Homes are not currently a permitted or conditional use in the Medium Density Residential Zoning District. The applicant wants to change the land use designation in order to bring the property into a conforming status.

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.*

The current zoning at the site is Medium Density Residential; however, the proposal to rezone the subject property to the Office Commercial Zoning District is reflective of changing conditions. Much of the area surrounding the subject property was developed over 35 years ago. The City has experienced significant growth since that time, and additional areas along other similar traffic arterials have been rezoned commercially.

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

The objectives of the Office Commercial Zoning District also state that: "Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods." This rezoning appears to be appropriate given the location of the subject property near an arterial road, contiguous to other Office Commercial, and its proximity to residential neighborhoods.

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 rezoning of the subject property to the Office Commercial Zoning District will not have a significant adverse affect on any surrounding areas or the City in general. The proposed Office Commercial Zoning District's proximity to principal arterial and other businesses reduce the effect of any negative impacts the proposed rezoning may have. In addition, the site has been functioning in this manner for an extended period of time with a limited number of negative impacts on the surrounding land uses.

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 City of Rapid City Long Range Comprehensive Plan 2000 has the property designated

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as a residential land use. The applicant has submitted a Comprehensive Plan Amendment proposing to amend the Comprehensive Plan from residential land use to office commercial land use. Upon approval of the proposed Comprehensive Plan Amendment, the property will be in compliance with the land use plan.

The required rezoning sign has been posted on the property. As of this writing, the receipts from the certified mailing have been returned. Staff will notify the Planning Commission on April 24, 2003, if the signed green cards are not received by then. Staff has not received any written comments or verbal questions concerning the proposed rezoning at the time of this writing.