

STAFF REPORT

June 26, 2003

No. 03RZ019 - Rezoning from Low Density Residential District to Office Commercial District

ITEM 31

GENERAL INFORMATION:

PETITIONER	Donald Douma for Atonement Lutheran Church
REQUEST	No. 03RZ019 - Rezoning from Low Density Residential District to Office Commercial District
EXISTING LEGAL DESCRIPTION	Lot 1 of Lot A, Block 6, Northern Heights Subdivision, Section 25, T2N R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.85 acres
LOCATION	522 Anamosa Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District/Low Density Residential District
South:	Medium Density Residential District
East:	General Commercial District w/Planned Commercial Development
West:	Medium Density Residential District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	05/02/2003
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the rezoning from Low Density Residential Zoning District to Office Commercial Zoning District be **approved in conjunction with a Planned Development Designation and the related Amendment to the Comprehensive Plan.**

GENERAL COMMENTS: **This item was continued at the June 5, 2003 Planning Commission meeting to allow the request to be heard in conjunction with the Planned Development Designation and a proposed Amendment to the Comprehensive Plan. This staff report has been revised as of June 18, 2003. All revised and/or added text is shown in bold print.** This property is located north of Anamosa Street and west of Haines Avenue. The property was annexed into the City of Rapid City in 1961. It is currently zoned Low Density Residential District. The Future Land Use Committee met with the property owner regarding the rezoning of this property. The Committee recommended approval of the rezoning of the subject property from Low Density Residential District to

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Office Commercial District with a Planned Development Designation and with an Amendment to the Comprehensive Plan to change the North Rapid Neighborhood Area Future Land Use Plan from Low Density Residential land use(s) to Office Commercial land use(s) with a Planned Development Designation. An application for a Planned Development Designation (03PD021) and an Amendment to the Comprehensive Plan (03CA016) has been submitted in conjunction with the rezoning request.

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 subject property was annexed into the City in 1961. The Atonement Lutheran Church is currently located on the property, which is zoned Low Density Residential District. The church is moving to a new location and plans to sell the property. The property owner has requested the zoning change from Low Density Residential District to Office Commercial District with a Planned Development District.

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

The property located to the north of the subject property is zoned Low Density Residential District and Medium Density Residential District. The property located to the south and west of the subject property is zoned Medium Density Residential District. The property located to the east of the subject property is zoned General Commercial District with a Planned Commercial Development. Anamosa Street is adjacent and south of the property and Haines Avenue is approximately 175 feet to the east. The North Rapid Neighborhood Area Future Land Use Plan identifies the subject property as appropriate for Low Density Residential land use(s). The Future Land Use Committee reviewed this request and found that the use would be an appropriate buffer between residential land uses and general commercial land uses. The related Amendment to the Comprehensive Plan proposes to change the land use from Low Density Residential to Office Commercial with a Planned Development Designation. Rezoning this property as Office Commercial District with a Planned Development Designation would appear to be consistent with the intent and purpose 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 subject property is located adjacent to Medium Density Residential Zoning

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Districts on the south and west and Medium and Low Density Residential Zoning Districts on the north as well as General Commercial Zoning District with a Planned Development Designation on the east. The proposed amendment would serve as a buffer between the general commercial development and the residential area. Upon any redevelopment, onsite detention and potential storm sewer extension may be required. In conjunction with a building permit, the Anamosa Street approach must be closed and all access taken from Atlas Street in accordance with the Rapid City Street Design Criteria manual. Any proposal to vacate the easement identified on the plat will require a full site topographic plan be submitted for review and approval. Any increase in traffic or drainage can be mitigated through the associated Planned Development Designation submitted with this application. The amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

- 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 North Rapid Neighborhood Area Future Land Use Plan identifies the subject property as appropriate for Low Density Residential land use(s) and adjacent properties as appropriate for Low Density and Medium Density Residential land uses(s). The Future Land Use Committee met and recommended approval of the change in land use for the subject property from Low Density Residential to Office Commercial with a Planned Development Designation. An Amendment to the Comprehensive Plan (03CA016) to change the land use for the subject property from Low Density Residential to Office Commercial with a Planned Development Designation has been submitted in conjunction with this rezoning application. If that amendment is approved, the requested rezoning would be consistent with the adopted North Rapid Neighborhood Area Future Land Use Plan.

As of this writing, the sign has been posted on the property, and the receipts from the certified mailing have been returned. Staff has received one inquiry and no objections regarding this request.