

STAFF REPORT
August 10, 2006

No. 06RZ025 - Rezoning from High Density Residential District to Neighborhood Commercial District **ITEM 40**

GENERAL INFORMATION:

PETITIONER	Lise Balk-King
REQUEST	No. 06RZ025 - Rezoning from High Density Residential District to Neighborhood Commercial District
EXISTING LEGAL DESCRIPTION	Lots 19 thru 24, Boulevard Addition, Block 3, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .24 acres
LOCATION	1011, 1015, 1019 and 1021 St. Joseph Street
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	Park Forest District
South:	Medium Density Residential District
East:	Office Commercial District
West:	High Density Residential District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	7/14/2006
REVIEWED BY	Karen Bulman / Todd Peckosh

RECOMMENDATION: Staff recommends that the Rezoning from High Density Residential District to Neighborhood Commercial District be denied.

GENERAL COMMENTS: These developed residential properties contain approximately .24 acres and are located south of Halley Park at 1011, 1015, 1019 and 1021 St. Joseph Street. The properties are located within the West Boulevard Historic District and the buildings are contributing structures. The properties are currently zoned High Density Residential District. Land located north of the subject property is zoned Park Forest District. Land located east of the subject property is zoned Office Commercial District. Land located south of the subject property is zoned Medium Density Residential District. Land located west of the subject property is zoned High Density Residential District. In addition to this Rezoning application, the applicant has submitted a Comprehensive Plan Amendment for the subject property to change the land use designation from Residential to Neighborhood Commercial (06CA023).

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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.*

Staff has not identified any changing conditions within the neighborhood warranting the proposed amendment.

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

The Neighborhood Commercial Zoning District is established to provide areas in which the principal use of land is devoted to the neighborhood store or group of stores serving the population of the immediate area. The subject properties are contributing properties within the residential area of the West Boulevard Historic District. The subject properties are located adjacent to Medium and High Density Residential Zoning Districts, Park Forest District and Office Commercial District. The Comprehensive Land Use Plan indicates that this property is appropriate for Residential land uses. The applicant has submitted a Comprehensive Plan Amendment to change the current designation to Neighborhood Commercial land use in conjunction with this rezoning application. The encroachment of commercial uses within a historic residential area does not appear to be consistent with the intent 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 and High Density Residential Zoning Districts. St. Joseph Street, a principal arterial street on the City's Major Street Plan, is located along the northern boundary of the subject property. Eleventh Street, a local street on the City's Major Street Plan, extends in a north/south direction adjacent to the property along the west boundary of the subject property. St. Joseph Street is a one way street, and as such, accessing the subject property will cause an increase in traffic in the West Boulevard area, specifically West Boulevard, Kansas City Street and Eleventh Street. Staff has concerns regarding the turning movements to access the subject property, and the traffic congestion along St. Joseph Street and the adjacent residential streets. Overflow parking within the residential streets from the commercial land uses are possible adverse effects from the rezoning of the subject property. Commercial uses will bring increased noise and lighting to the residential neighborhood.

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 Comprehensive Land Use Plan identifies this area as appropriate for Residential land uses. An application for a Comprehensive Plan Amendment to change the land use on the

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subject property to Neighborhood Commercial has been submitted in conjunction with the Rezoning of the subject property. Increased traffic from the commercial uses will have a significant negative impact on the residential area within the West Boulevard Historic District.

As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the August 10, 2006 Planning Commission meeting if these requirements have not been met. Staff has received significant objections from members of the Historic Preservation Commission regarding the proposed request at the time of this writing.

Staff recommends that the Rezoning from High Density Residential District to Neighborhood Commercial District be denied.