

STAFF REPORT
October 8, 2009

No. 09RZ037 - Rezoning from Medium Density Residential District to General Commercial District **ITEM 9**

GENERAL INFORMATION:

APPLICANT	Mills Drug, Inc.
AGENT	Peter Neumann for Gustafson Builders
PROPERTY OWNER	Mills Drug, Inc.
REQUEST	No. 09RZ037 - Rezoning from Medium Density Residential District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lots 17 thru 18 of Block 15 of Flormann Addition, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.16 acres
LOCATION	730 St. Cloud
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/9/2009
REVIEWED BY	Patsy Horton / Mary Bosworth

RECOMMENDATION: Staff recommends that the Rezoning from Medium Density Residential District to General Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: This developed property contains approximately 0.16 acres and is located at northeast corner of Mount Rushmore Road and Saint Cloud Street. The property is currently zoned Medium Density Residential District. Land located east of the property is zoned Medium Density Residential District. Land located north, south and west of the property is zoned General Commercial District. The applicant intends to demolish the existing single family residence and the Boyd's Liquor Mart on the adjacent property to the west and reconstruct a larger Boyd's Liquor Mart on the combined site.

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The adopted Comprehensive Land Use Plan indicates that this property is appropriate for Residential land uses. An application to change the land use designation on the property from Residential to General Commercial (#09CA019) has been submitted in conjunction with this Rezoning application.

STAFF REVIEW: The Adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The plan is intended to guide the orderly growth of the community. In order for the plans to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be required.

Staff 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 condition that requires rezoning the property.

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

The General Commercial Zoning District is intended for personal and business services and the general retail business of the city. The property in question is adjacent to property currently zoned General Commercial District and provides an opportunity to conserve social and economic stability of the business along Mount Rushmore Road. The proposed rezoning to General Commercial District appears to be 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.*

Land located north, south and west of the property is zoned General Commercial District. Land located east of the property is zoned Medium Density Residential District. The General Commercial District requires additional screening when adjacent to residential districts to help mitigate potential impacts to adjoining properties. As such, the proposed rezoning to General Commercial District appears to be compatible with the adjacent properties.

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 Future Land Use Committee considered the associated Comprehensive Plan Amendment to change the land use designation from Residential to General Commercial and recommended that the Amendment to the Adopted Comprehensive Plan to change

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the land use designation from Residential to General Commercial be approved. If the associated Comprehensive Plan Amendment is approved, the rezoning request will be consistent with the adopted Comprehensive Plan. As such, staff recommends that the rezoning request from Medium Density Residential to General Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment.

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received one inquiry regarding the proposed Rezoning application.

Staff recommends that the rezoning from Medium Density Residential District to General Commercial District be approved.