

STAFF REPORT

September 7, 2000

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**RZN #00RZ035 - Rezoning from Medium Density  
Residential District to General Commercial District**

**ITEM 22**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc. for Century Resources
REQUEST	<b>RZN #00RZ035 - Rezoning from Medium Density Residential District to General Commercial District</b>
LEGAL DESCRIPTION	Lots 12 through 18 of Block 17 of South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .56 Acres
LOCATION	At the intersection of Flormann Street and 7th Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Office Commercial District (PCD)
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Rezoning from Medium Density Residential District to General Commercial District be denied without prejudice.

GENERAL COMMENTS: The applicant is seeking to rezone a .56 acre parcel from Medium Density Residential District to General Commercial. The applicant has also submitted an application requesting approval of a Planned Development Designation on the subject property. Currently, a single family residence and a garage are located in the northwest corner of the property. The applicant has indicated that the existing structures will be removed and a new commercial structure will be built to house the credit union currently located north of the property across Flormann Street.

In addition to the credit union, two office buildings, a savings and loan and a radio station are located on the property across Flormann Street. A portion of this property has recently been rezoned from Shopping Center 1 to Office Commercial with a Planned Development Designation to allow for the construction of a medical facility along the eastern portion of the property. The properties to the south and east are currently zoned Medium Density

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Residential District with existing residential development. The property to the west, across 7<sup>th</sup> Street, is currently zoned General Commercial District and is the location of a motel.

STAFF REVIEW: Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of zoning map amendments. A summary of Staff findings is 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.***

As previously indicated, in February of this year the property located north of the subject property was rezoned from Shopping Center 1 to Office Commercial with a Planned Development Designation. During the review, concern was expressed regarding the potential impact that “commercial activities” may have on the surrounding residential uses. As such, the approved Planned Commercial Development addressed access issues, landscaping and parking concerns, and structural standards of the proposed building to minimize any negative impact the medical facility may have on the surrounding residential area. In addition, the Office Commercial Zoning District, by its definition, serves to limit certain commercial activities that are otherwise permitted uses in the General Commercial Zoning District.

The subject property is bordered along the north by Flormann Street and along the west by Seventh Street. The subject property, as well as the entire block, is zoned Medium Density Residential District with existing residential uses. Staff has noted that over the last thirty years, there has been little change in the extent of either the General Commercial zoned land or the Medium Density Residential zoned land. Based upon a review of zoning changes in this area, staff believes the subject property is part of a cohesive residential area that should be protected from commercial encroachment.

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

Staff does not believe this proposed rezoning is consistent with the intent of the Zoning Ordinance. According to Section 17.18.010 of the Zoning Ordinance, the General Commercial Zoning District is intended to provide “...for personal and business services and the general retail business of the city.” Staff does not believe this property should function in this way. The rezoning of the property will increase traffic and create substantial negative impacts upon the adjacent residential areas.

**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.***

As alluded to, Staff believes that rezoning this property will result in adverse impacts to neighboring residences. Some such impacts include increased pedestrian and vehicular traffic, increased noise and congestion, increased heat and glare from parking lots, and light pollution. Staff is further concerned that rezoning the subject property to General Commercial District could begin a trend of commercialization in this neighborhood.

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- 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.***

This neighborhood has not yet been addressed as part of the City's current Future Land Use Planning process. The City's current comprehensive plan proposes residential development for this property with commercial development being confined to a corridor along Mt. Rushmore Road.

The required rezoning sign has been posted on the property. As of this writing, the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission on September 7, 2000 if the receipts are not received by then. Staff has received one telephone call regarding this request from tenants of the house located directly east of the subject property. The tenants did not express concern with the proposed rezoning request.