

STAFF REPORT

April 4, 2013

No. 13RZ004 - Rezoning from High Density Residential District to Office Commercial District

ITEM 5

GENERAL INFORMATION:

APPLICANT	Thomas A. Whillock
AGENT	Kent Kennedy
PROPERTY OWNER	Debra A. Wilson
REQUEST	No. 13RZ004 - Rezoning from High Density Residential District to Office Commercial District
EXISTING LEGAL DESCRIPTION	Lots 22 thru 24 of Block 123 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.24 acres
LOCATION	726 South Street
EXISTING ZONING	High Density Residential District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Central Business District - General Commercial District
South:	Medium Density Residential District
East:	High Density Residential District
West:	Central Business District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	March 6, 2013
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Rezoning from High Density Residential District to Office Commercial District be approved.

GENERAL COMMENTS: The applicant has submitted a Rezoning request to rezone approximately 0.24 acres of property from High Density Residential District to Office Commercial District. The applicant has indicated that they intend to use the property as a dental clinic on the first floor, with a residence in the basement. The Office Commercial District allows for development of both medical/dental clinics and residences.

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The property is located at 726 South Street, east of the intersection of South Street and Mount Rushmore Road. Currently, the property is developed with a single family residence.

STAFF REVIEW: Staff has reviewed the 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 finding are outlined below.

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.*

The property is zoned High Density Residential District. Property to the east is zoned High Density Residential District. Property to the south is zoned Medium Density Residential District. Property to the west is zoned Central Business District. Property to the north is zoned Central Business District and General Commercial District. The future land use designation for the property is commercial and, as such, no changes to the Future Land Use Plan are required. The U.S. Highway 16/Mount Rushmore Road corridor is developed with a mix of commercial and residential uses and the property is adjacent to the Central Business District. There are no substantially changed or changing conditions in the area.

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

The High Density Residential District is intended to promote and encourage the establishment and maintenance of a suitable environment for urban residence in areas appropriate by location and character for occupancy by high-density, multiple-family dwellings. The Office Commercial District is intended to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space, and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods. The Rezoning request will allow for both residential and commercial uses in an area close to a major commercial corridor, the Central Business District, and residential neighborhood. The Office Commercial District serves as a transitional buffer between high intensity commercial land uses to the north and west and the residential uses to the south and east. Currently, the area is developed with a mix of residential and commercial uses. The proposed zoning is consistent with the intent and purposes 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 amendment.*

The Rezoning request will change the zoning from High Density Residential District to Office Commercial District. The Rezoning request will permit a mix of residential and commercial uses to be located in an area that is transitioning from commercial uses to residential uses. Much of the area is comprised of a mix of residential and commercial uses already. The Rezoning request is an overall increase in the intensity of uses permitted on the property; however, the High Density Residential District permits professional offices as a conditional use. The Office Commercial District limits

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commercial uses which exclude retail trade of stock goods. It is not expected that the Rezoning request will adversely affect any other part of the City.

- 4. The proposed amendment shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The City's adopted Future Land Use Plan shows that the property has been designated for commercial use. The Rezoning request will provide a buffer between commercial uses to the north and west, and residential uses to the south and east. Public Works staff has noted that utility services on the property should be sufficient to serve the anticipated uses. Mount Rushmore Road, located to the west of the property, is a principal arterial street on the City's adopted Major Street Plan, capable of handling high volume commercial traffic. For these reasons, staff recommends the request to Rezone property from High Density Residential District to Office Commercial District be approved.

Notification Requirements: As of this writing, the required sign has not been posted on the property. The proof of notification mailing has not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the April 4, 2013 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into this request.