

STAFF REPORT

July 5, 2001

No. 01RZ039 - Rezoning from General Agriculture District to Office Commercial District **ITEM 35**

GENERAL INFORMATION:

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| PETITIONER | City of Rapid City |
| REQUEST | No. 01RZ039 - Rezoning from General Agriculture District to Office Commercial District |
| LEGAL DESCRIPTION | A parcel of land located in Tract "A" of Tract 1 of the W1/2SW1/4 of Section 23, T.1N., R.7E., B.H.M., Pennington County, South Dakota; (as set out in Plat Book 11, Page 207 of the Pennington County Register of Deeds); More particularly describes as: Commencing at a point on the west boundary of Tract "A", which bears N0° 01'49"W a distance of 659.09 feet from the Southwest Corner of Section 23, T.1N., R.7E., B.H.M., being the POINT OF BEGINNING; thence N42°48'20"E along the proposed centerline of Tish Drive a distance of 483.98 feet to the beginning of a curve concave to the Southeast having a radius of 150.00 feet and a central angle of 54°38'42"; Thence along said centerline and along said curve an arc distance of 143.06 feet; Thence along said centerline S82°32'54"E a distance of 9.91feet; Thence S07°19'07"W a distance of 38.00 feet; Thence S07°19'07"W along the boundary common to said Tract "A" and Lot E, Lot A, Lot B and Lot C of the SW1/4SW1/4 of said Section 23 and distance of 800.44 feet; Thence N73°19'46"W a distance of 377.36 feet to a point on the west section line of said Section 23 and the west boundary of Tract "A"; Thence N00°01'49"W along said section line and said west boundary of Tract "A" a distance of 322.84 feet to the point of beginning. Containing 5.80 Acres more or less |
| PARCEL ACREAGE | Approximately 5.80 Acres |
| LOCATION | North of Golden Eagle Drive and adjacent to old Marine Life |
| EXISTING ZONING | General Agriculture District |
| SURROUNDING ZONING | |
| North: | Business Park District |
| South: | General Agriculture District |
| East: | General Agriculture District |
| West: | General Agriculture District |

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PUBLIC UTILITIES To be extended

REPORT BY Lisa Seaman

RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to Office Commercial District be approved.

GENERAL COMMENTS: The subject property is a portion of a 20 acre parcel owned by the City of Rapid City. A layout plat that was approved on March 19, 2001 by the City Council identified that the City is proposing to subdivide the 20 acre parcel into four lots. The subject property is identified as Parcel 3 on the attached site plan and is located west of the old Marine Life property and east of a parcel that is designated as Low Density Residential with a Planned Residential Development in the Southwest Connector Neighborhood Future Land Use Plan.

The applicant has submitted this request to rezone approximately 5.80 acres of the 20 acre parcel from General Agriculture Zoning District to Office Commercial Zoning District. In addition to this rezoning request, the applicant has submitted a Planned Development Designation request and a Comprehensive Plan Amendment to change the future land use designation from Public to Office Commercial with a Planned Commercial Development.

STAFF REVIEW: Staff has reviewed the rezoning request with respect to the criteria established for zoning map amendments in Section 17.54.040(D)(1). A summary of staff findings are outlined below:

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

This rezoning is necessary because of changing conditions. As Rapid City has continued to grow, the South U.S. Highway 16 area has seen increasing growth and commercialization. The completion of Catron Boulevard has served to increase the commercial growth of this area. The proposed rezoning request is consistent with the changing conditions of the area.

2. *The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

The purpose of the Office Commercial Zoning District is 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 subject property is located between a commercial property and property that is identified in the Southwest Connector Neighborhood Future Land Use Plan as Low Density Residential. The Office Commercial/Planned Development land use

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will provide a buffer between the commercial property to the east and the residential property to the west.

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 mentioned previously, the South U.S. Highway 16 area has seen increasing growth and commercialization. Office commercial land uses are necessary in order to provide a buffer between the General Commercial properties adjacent to South U.S. Highway 16 and the residential properties to the west. Rezoning the subject property to Office Commercial will provide such a buffer. Furthermore, approval of the associated Planned Development Designation will help insure that commercial development that does occur will not cause adverse impacts.

4. *The proposed amendments 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 subject property is included in the Southwest Connector Neighborhood Future Land Use Plan and has been identified as Public in this plan. The Future Land Use Committee recognized the need for a fire station in this area and designated the property as Public in the Southwest Connector Neighborhood Future Land Use Plan. After further study, the applicant has determined that the parcel originally designated for the fire station is more desirable for commercial development and the property directly north of the subject property would be a better location for the fire station.

Based on conformance with the criteria for review of zoning map amendments, Staff is recommending approval of the rezoning request.

The required rezoning sign has been posted on the property, however, the receipts from the certified mailing have not been returned as of the writing of this staff report. Staff will notify the Planning Commission in the event the receipts are not received prior to the July 5, 2001 Planning Commission meeting.