

STAFF REPORT

May 23, 2002

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**No. 02RZ026 - Rezoning from General Agriculture District to General Commercial District** **ITEM 43**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 02RZ026 - Rezoning from General Agriculture District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in the SW1/4 of the SW ¼ and the NW ¼ of the SW ¼ including the remainder of Lot B of the NW ¼ of the SW ¼ lying east of Highway 16, a portion of the NE ¼ of the SW ¼ and a portion of the SE ¼ of the SW ¼ all in Section 23, Township 1 North, Range 7 East, Black Hills Meridian, Located in the City of Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Beginning at the Southwest corner of the Aladdin Heights Subdivision as shown on the plat filed in Book 12 of plats Page 158; continuing from the Point of Beginning South 89°59'15" East a distance of 403.30 feet along the South line of the Aladdin Heights Subdivision to a point; thence South 07°20'48" West a distance of 426.12 feet to a point on the current commercial zoning line; thence North 51°24'29" West a distance of 141.9 feet along the current commercial zoning line to a point; thence North 66 48'29" West a distance of 256.04 feet along the current commercial zoning line to a point; thence South 89°37'13" West a distance of 32.67 feet along the current commercial zoning line to a point on the Easterly R.O.W. of Highway 16; thence North 07°20'48" East a distance of 235.52 feet along the Easterly R.O.W. of said highway returning to the point of beginning. Containing 2.855 acres or 124,374.467 square feet
PARCEL ACREAGE	Approximately 2.855 acres
LOCATION	East of U. S. Highway 16 and 1/4 mile north of Catron Blvd
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District w/ PDD
East:	General Agriculture District

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West:	Business Park District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	4/26/2002
REPORT BY	Vicki L. Fisher

**RECOMMENDATION:**

Staff recommends that the Rezoning from General Agriculture District to General Commercial District be approved in conjunction with the Planned Development Designation.

**GENERAL COMMENTS:**

The applicant has submitted a rezoning request to change the zoning from General Agriculture District to General Commercial District on the above legally described property. In addition, the applicant has submitted a Planned Development Designation request. (See companion item #02PD018.) The property is located in the southeast corner of the Southview Drive/U.S. Highway 16 intersection and is currently void of any structural development.

The property is a part of a proposed 86 acre development to be known as "Tower Ridge". The applicant has also submitted several additional Comprehensive Plan Amendments, Rezoning requests and Planned Development Designation requests on the balance of the proposed 86 acre development.

**STAFF REVIEW:**

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the 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 district affected, or the City in general.*

The property was annexed into the City in 1993 and, subsequently, zoned General Agriculture District. The General Agriculture District has served as a holding zone until such time as the property is developed. The South Robbinsdale Neighborhood Area Future Land Use Plan identifies the appropriate use of the property as General Commercial with a Planned Commercial Development. The property located directly north of the subject property is currently zoned General Commercial District and was the previous site of the "Flea Market", a public second hand and retail outlet. The extension of municipal services to the area and the completion of Catron Boulevard, a significant east-west arterial connection located approximately 1/4 mile south of the subject property, have changed conditions within the area to support the extension of commercial development. With the completion of Catron Boulevard, it is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future. In addition, the proposed Planned Development Designation will serve as a tool to address the

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issues, traffic concerns and topographic and drainage concerns specific to the subject property.

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

According to 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. The location of the property in close proximity to the intersection of two major arterial roadways make it a desirable location for general commercial activities serving the general retail business needs of the community. Further, U.S. Highway 16 is the major gateway between Rapid City and Mount Rushmore, making the area desirable for commercial activities to serve the traveling public.

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.*

Staff does not believe that rezoning this property will result in any adverse impacts in conjunction with the associated Planned Development Designation. The additional review provided by a Planned Residential Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site. With the extension of City sewer and water to the area, the proposed rezoning request is consistent with commercial development within the area.

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.*

As previously indicated, the adopted Future Lane Use Plan for the South Robbinsdale Neighborhood Area identifies this property as being appropriate for general commercial land uses with a Planned Commercial Development. The primary reason for the recommended Planned Development Designation is the potential access concerns and the location of the property at a major tourist entranceway to the community. The Planned Development Designation will officially identify this property as a future Planned Commercial Development.

As of this writing, the receipts from the certified mailing have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the May 23, 2002 Planning Commission meeting if these requirements have not been met. Staff has not received any calls or inquiries regarding this proposal.