

STAFF REPORT

December 5, 2002

No. 02RZ068 - Rezoning from Office Commercial District to General Commercial District

ITEM 35

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 02RZ068 - Rezoning from Office Commercial District to General Commercial District
EXISTING LEGAL DESCRIPTION	The west 230 feet of the SE1/4 NW1/4 NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.48 acres
LOCATION	East of the intersection of Homestead Street and Elk Vale Road
EXISTING ZONING	Office Commercial with Planned Development Designation
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Office Commercial with Planned Development Designation
East:	Office Commercial with Planned Development Designation
West:	General Commercial with Planned Development Designation
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	10/25/2002
REPORT BY	Karen Bulman

RECOMMENDATION: The Future Land Use Committee recommends that the rezoning from Office Commercial Zoning District to General Commercial Zoning District be approved in conjunction with a Planned Development Designation and the related Amendment to the Comprehensive Plan.

GENERAL COMMENTS: This property is located east of Elk Vale Road and north of Degeest Street. The property was annexed into the City of Rapid City effective May 15, 2002, and was rezoned from No Use District to Office Commercial District. The property owner had requested to meet with the Future Land Use Committee regarding the rezoning of this property. The Future Land Use Committee met on October 25, 2002 and

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recommended approval of the rezoning of the subject property from Office Commercial Zoning District with a Planned Development Designation to General Commercial Zoning District with a Planned Development Designation. Applications for an Amendment to the Comprehensive Plan (02CA065) and a Planned Development Designation (02PD067) have been submitted in conjunction with the rezoning request.

STAFF REVIEW: Staff has 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.

The subject property was annexed into the City on May 15, 2002. On November 4, 2002, the City Council approved the rezoning of the subject property from No Use District to Office Commercial District with a Planned Development Designation. The proposed Timmons Boulevard, which will access the proposed elementary school to the east, extends around a radio tower site and is adjacent to a General Commercial Zoning District. Timmons Boulevard will no longer be a through street and will end in a cul-de-sac when Homestead Street is constructed. The property owner has requested the continuance of the General Commercial Zoning District along the curve at the northwest corner of Timmons Boulevard.

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

The property located to the north of the subject property is zoned Limited Agriculture District by Pennington County. The property to the south and east of the subject property is zoned Office Commercial District with a Planned Development Designation. The property located to the west of the subject property is zoned General Commercial District with a Planned Development Designation. The Elk Vale Neighborhood Area Future Land Use Plan identifies the subject property as appropriate for Office Commercial land use(s) with a Planned Development Designation. Until Homestead Street is constructed, Timmons Boulevard will serve as access to the proposed elementary school to the east. The property owner wishes to continue the General Commercial development at the northwest corner of Timmons Boulevard. Rezoning the subject property from Office Commercial Zoning District with a Planned Development Designation to General Commercial Zoning District with a Planned Development Designation appears to be consistent with the intent 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 an amendment.

The property to the west is zoned General Commercial District with a Planned Development Designation and the property to the east is zoned Office Commercial District with a Planned Development Designation. As such, the amendment should not

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have a significant affect on any of the surrounding land uses or on public infrastructure. Any increase in traffic or drainage can be mitigated through the associated Planned Development Designation submitted with this application.

- 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 Elk Vale Neighborhood Area Future Land Use Plan for this area identifies the subject property as appropriate for Office Commercial land use(s) with a Planned Development Designation. The property owner met with the Future Land Use Committee regarding the rezoning of the subject property. The Future Land Use Committee recommended approval of the change in land use for the subject property from Office Commercial District with a Planned Development Designation to General Commercial District with a Planned Development Designation. If that amendment is approved, the requested rezoning would be consistent with the adopted Comprehensive Plan.

The applicant has mailed certified letters to notify surrounding property owners of the proposed rezoning and has posted the required sign on this property. As of this date, staff has received no inquires or objections regarding this request.

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