

STAFF REPORT
March 10, 2005

**No. 05RZ017 - Rezoning from General Agriculture District to Office
Commercial District**

ITEM 28

GENERAL INFORMATION:

PETITIONER Ted Schultz, CETEC Engineering Services, Inc. for
Generations Care, LLC

REQUEST **No. 05RZ017 - Rezoning from General Agriculture
District to Office Commercial District**

EXISTING
LEGAL DESCRIPTION Beginning at the southwesterly corner of Tract H of
Wesleyan Christian Center, thence N76°34'25" E a
distance of 263.55 feet; thence N17°48'36" W a distance
of 117.79 feet; thence N37°51'47" W a distance of 46.34
feet; thence N72°03'18" E a distance of 159.45 feet,
thence S57°08'25" W a distance of 52.00 feet; thence
with a curve turning to the right with a radius of 149.99
feet, with an arc length of 39.01 feet, with a chord
bearing of S25°22'55" E, with a chord length of 38.90
feet, thence S17°50'42" E a distance of 299.76 feet;
thence S27°16'02" W a distance of 14.10 feet; thence
S72°12'20" W a distance of 256.46 feet; thence
N17°47'39" W a distance of 0.00 feet; thence with a
curve turning to the right with a radius of 169.61 feet,
with an arc length of 110.82 feet, with a chord bearing of
N89°04'34" W, with a chord length of 108.86 feet, thence
N70°21'28" W a distance of 53.50 feet; thence with a
curve turning to the left with a radius of 333.35 feet, with
an arc length of 162.43 feet, with a chord bearing of
N00°31'09" E, with a chord length of 160.83 feet; which
is the point of beginning, having an area of 94233.94
square feet, 2.163 acres all lying in the NW1/4 of SW1/4,
Section 26 and the NE1/4 of SE1/4 of Section 27, T2N,
R7E, B.H.M. Rapid City, Pennington County, South
Dakota

PROPOSED
LEGAL DESCRIPTION Beginning at the southwesterly corner of Tract H of
Wesleyan Christian Center, thence N76°34'25" E a
distance of 263.55 feet; thence N17°48'36" W a distance
of 117.79 feet; thence N37°51'47" W a distance of 46.34
feet; thence N72°03'18" E a distance of 159.45 feet,
thence S57°08'25" W a distance of 52.00 feet; thence
with a curve turning to the right with a radius of 149.99
feet, with an arc length of 39.01 feet, with a chord
bearing of S25°22'55" E, with a chord length of 38.90
feet, thence S17°50'42" E a distance of 299.76 feet;
thence S27°16'02" W a distance of 14.10 feet; thence
S72°12'20" W a distance of 256.46 feet; thence

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N17°47'39" W a distance of 0.00 feet; thence with a curve turning to the right with a radius of 169.61 feet, with an arc length of 110.82 feet, with a chord bearing of N89°04'34" W, with a chord length of 108.86 feet, thence N70°21'28" W a distance of 53.50 feet; thence with a curve turning to the left with a radius of 333.35 feet, with an arc length of 162.43 feet, with a chord bearing of N00°31'09" E, with a chord length of 160.83 feet; which is the point of beginning, having an area of 94233.94 square feet, 2.163 acres all lying in the NW1/4 of SW1/4, Section 26 and the NE1/4 of SE1/4 of Section 27, T2N, R7E, B.H.M. Rapid City, Pennington County, South Dakota

PARCEL ACREAGE	Approximately 2.163 acres
LOCATION	Northwest of Harmony Heights Lane and Sunny Springs Drive
EXISTING ZONING	Office Commercial District/General Agriculture District
SURROUNDING ZONING	
North:	Office Commercial District
South:	General Agriculture District
East:	Office Commercial District/General Agriculture District
West:	Light Industrial District/Office Commercial District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	2/11/2005
REVIEWED BY	Linda Foster / David L. Johnson

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Office Commercial District be approved contingent upon the Comprehensive Plan Amendment and Planned Residential Development Plan being approved.

GENERAL COMMENTS:

The applicant is requesting to rezone approximately 2.163 acres located northwest of Harmony Heights Lane and Sunny Springs Drive. The property is currently zoned General Agriculture District and Office Commercial District. The property located south of the subject property is zoned General Agriculture District. The property located north of the subject property is currently zoned Office Commercial District. The property located to the east of the subject property is zoned Office Commercial and General Agriculture District. The property located west of the subject property is zoned Light Industrial District and Office Commercial District. The applicant has also submitted

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applications to amend the Future Land Use Plan from Park Forest to Office Commercial (05CA012), a Layout Plat (05PL029) and an Initial and Final Planned Residential Development Plan review (05PD010).

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 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.*

The subject property is currently zoned General Agriculture District. Adjacent properties have been developed into Medium Density Residential uses. The subject property is currently void of any construction but is located adjacent to residential development. The proposal to rezone the subject property to Office Commercial District with a Planned Residential Development Designation is consistent with the residential development in the area.

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

The Office Commercial Zoning 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. Any use permitted in Medium Density Residential District, not including uses permitted on review are allowed in Office Commercial District. The property is currently zoned General Agriculture District. The property located south of the subject property is zoned General Agriculture District. The property located north of the subject property is currently zoned Office Commercial District. The property located to the east of the subject property is zoned Office Commercial and General Agriculture District. The property located west of the subject property is zoned Light Industrial District and Office Commercial District. Designating the property as Office Commercial with a Planned Residential Development Designation would provide a transition and buffer between the neighboring land uses.

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 subject property is located adjacent to an Office Commercial Zoning District. Water and sewer are located in Harmony Heights Lane and Sunny Springs Drive which are adjacent to the subject property. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from General Agriculture District to Office Commercial District with a Planned Residential Development Designation. Staff has identified that drainage will need to be addressed as part of the preliminary plat process.

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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.*

The Comprehensive Plan identifies the subject property as appropriate for Park Forest Land use(s). An amendment to the Comprehensive Plan to change the land use on the subject property from Park Forest to Office Commercial (05CA012) has been submitted in conjunction with this rezoning. If the Comprehensive Plan amendment is approved, the proposed use will be consistent with the adopted plan.

Staff recommends that the request to rezone this property from General Agriculture District to Office Commercial District be approved contingent upon the Comprehensive Plan Amendment and Planned Residential Development Plan being approved.