

STAFF REPORT  
November 23, 2005

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**No. 05CA043 - Amendment to the Comprehensive Plan to change the future land use designation on a .652 acre parcel from General Agriculture to Office Commercial**

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**ITEM 22**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc. for Thomas O'Meara
REQUEST	<b>No. 05CA043 - Amendment to the Comprehensive Plan to change the future land use designation on a .652 acre parcel from General Agriculture to Office Commercial</b>
EXISTING LEGAL DESCRIPTION	Beginning at the southwest corner of Lot B of the SW1/4, Section 14, T1N, R7E, BHM, less lot H-1, Lot B, which is a concrete highway right-of-way monument, which is the true point of beginning: Thence; N05°30'18"E, a distance of 252.53 feet, Thence; N89°45'39"E, a distance of 127.81 feet, Thence; S14°14'34"W, a distance of 289.32 feet, Thence; N70°33'57"W, a distance of 85.74 feet, to the true point of beginning; all located in the SW1/4, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; containing 0.652 acres more or less.
PARCEL ACREAGE	Approximately .652 acres
LOCATION	Adjacent to Tower Road and South Dakota Highway 16
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District
South:	Right-of-Way
East:	General Commercial District
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/28/2005
REVIEWED BY	Karen Bulman / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation on a .652 acre parcel from General Agriculture to Office Commercial be approved.

GENERAL COMMENTS: This developed property contains approximately .652 acres and is

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located adjacent to Tower Road on the west and U.S. Highway 16 on the east. Land located north and east of the subject property is zoned General Commercial District. Land located west of the property is zoned Park Forest District. Land located south of the subject property is street right-of-way. An application for a Rezoning from General Commercial to Office Commercial District (05RZ060) has been submitted in conjunction with the Comprehensive Plan Amendment for the subject property. A Comprehensive Plan Amendment (05CA042) and a rezoning (05RZ059) application for property adjacent to the subject property have been submitted as companion items to the subject property.

**STAFF REVIEW:** The adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The plan is intended to guide the orderly growth of the community. In order for the plans to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be required.

Staff has reviewed this proposed Comprehensive Plan Amendment for conformance with the six criteria for review of Comprehensive Plan Amendments established in Section 2.60.160(D). A summary of Staff findings are outlined below:

1. *Whether the proposed change is consistent with the policies and overall intent of the comprehensive plan.*

One of the goals of any Future Land Use Plan is to encourage compact and contiguous growth along the City's fringe that is linked to both the levels of demand in the market and to the orderly extension and efficient use of public improvements, infrastructure, and services. The objective is to encourage in-fill and full utilization of properties and avoid scattered or strip residential, commercial and industrial development outside the urban areas. The subject property is undeveloped. Adjacent property located north of the subject property is developed as a motel and a manager's residence for the motel. The property owner recently submitted a Preliminary Plat to re-plat the adjacent property to the north into two lots, one for commercial use and one for residential use as part of the sale of the commercial parcel. Additional development is not anticipated at this time. However, future development of the subject property in conjunction with the residential parcel to the north is planned. The full utilization of both parcels will incorporate the use of public improvements in a more efficient and orderly manner.

2. *Whether the proposed change is warranted by changed conditions within the neighborhood surrounding and including the subject property.*

The subject property is located within an area that is developed as commercial and residential uses. The property owner recently submitted a Preliminary Plat to subdivide a larger adjacent commercial property into a commercial parcel and a residential parcel as part of the sale of the commercial parcel. An application for the adjacent residential parcel has been submitted to rezone the property from General Commercial to Office Commercial District (05RZ059). With the sale of the existing adjacent commercial parcel, the property

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owner wishes to plan future uses for the adjacent residential parcel and the subject property as companion parcels.

*3. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land*

The property located north and east of the subject property is currently zoned General Commercial District. Property located west of the subject property is zoned Park Forest. Property located south of the subject property is street right-of-way. The subject property is located adjacent to Tower Road on the west and U.S. Highway 16 on the east. Office Commercial District allows residential uses within that district and is compatible with the surrounding general commercial land uses.

*4. Whether and the extent to which the proposed amendment would adversely effect the environment, services, facilities, and transportation*

The subject property is adjacent and has access to Tower Road and is adjacent to U.S. Highway 16. City water and sewer may be extended to the property. The proposed Office Commercial land use would allow use of the land on highly visible property without generating large traffic volumes or adverse effects on the environment or services in the area.

*5. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

The subject property is located in an area that is commercially developed. The proposed amendment would allow office commercial development in the future. Office Commercial land use along the major corridor into the City appears to be an orderly development pattern and an appropriate land use for the subject property.

*6. Whether and the extent to which the proposed amendment adversely affects any other part of the city, or creates any direct or indirect adverse effects.*

Commercial development is currently established in the area. Office Commercial land use for the subject property serves as a transitional area buffering the surrounding General Commercial land uses and the Park Forest land uses. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment would have on the surrounding area or on the City.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the November 23, 2005 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.

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